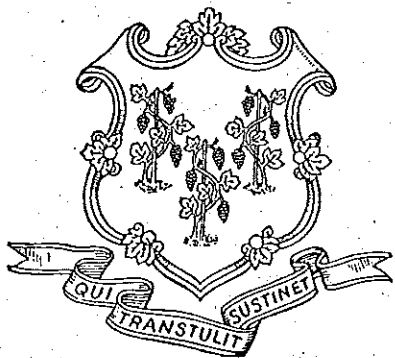


# **CONNECTICUT SHERIFFS SYSTEM**

Connecticut  
General Assembly



LEGISLATIVE  
PROGRAM REVIEW  
AND  
INVESTIGATIONS  
COMMITTEE

**February 2000**

**CONNECTICUT GENERAL ASSEMBLY  
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE**

The Legislative Program Review and Investigations Committee is a joint, bipartisan, statutory committee of the Connecticut General Assembly. It was established in 1972 to evaluate the efficiency, effectiveness, and statutory compliance of selected state agencies and programs, recommending remedies where needed. In 1975, the General Assembly expanded the committee's function to include investigations, and during the 1977 session added responsibility for "sunset" (automatic program termination) performance reviews. The committee was given authority to raise and report bills in 1985.

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LEGISLATIVE PROGRAM REVIEW  
& INVESTIGATIONS COMMITTEE

**CONNECTICUT  
SHERIFFS SYSTEM**

FEBRUARY 2000

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## CONNECTICUT SHERIFFS SYSTEM

### ➤ Sheriffs Duties

- provide courthouse security
- transport prisoners
- operate cell block areas for prisoners at courthouses
- serve process

### ➤ Current Structure of Sheriffs System

- based on out-of-date geographical areas rather than the location of facilities
- financed primarily by annual General Fund appropriation
- lacks clear lines of authority
- employees must meet minimum criteria, but hiring left up to individual high sheriffs
- training of appointees increasing, but still less than correctional and police officers

### ➤ Questions to Resolve:

Which structure is best for delivering services currently provided by sheriffs?

Should one entity continue to provide all of the services, or would it be better to split up the functions among different agencies?

Which agencies would best be able to carry out the required court security functions?

Options: Sheriffs, Judicial Branch, Department of Correction, or Department of Public Safety

Who should be authorized to perform service of process?

Options: Sheriffs, individuals appointed by a state authority, indifferent persons, state employees, or individuals who register with governmental body

Which functions need to stay together?

Option 1: [Courthouse Security + Cell Block + Prisoner Transportation + Process]

Option 2: [Courthouse Security + Cell Block + Prisoner Transportation] [Process]

Option 3: [Courthouse Security + Cell Block] [Prisoner Transportation] [Process]

Option 4: [Courthouse Security] [Cell Block + Prisoner Transportation] [Process]

Option 5: [Courthouse Security + Process] [Cell Block + Prisoner Transportation]

### ➤ Considerations for Court Security and Prisoner Transportation Functions

- level of court activity
  - desire for consistent policies statewide
  - continuity of custody of prisoners
  - skill requirements of jobs
  - costs
-

## Key Points

- Considerations for Service of Process Function
  - purpose is to give notice lawsuit is commencing
  - term also used by some to include actions such as post-judgment writs and garnishments, landlord/tenant issues, and tax collections
  - fee-for-service payment system
  - activities involved require flexibility
  - geographic limits
- Qualification Elements for Court-Related Workers and Process Servers
  - age and citizenship
  - education and experience
  - health and stamina
  - background and criminal record
  - skills (including driver's license)
  - bonds and insurance

Estimated Staffing Levels and State Costs of Major Options.				
	<i>Sheriffs System</i>	<i>Judicial Branch</i>	<i>Dept. of Correction</i>	<i>Dept. of Public Safety</i>
Courthouse Security	480 FTE \$18 Million ( <i>\$21.6 Million, if receive full benefits</i> )	508 FTE \$27.4 Million	508 FTE \$26.3 Million	508 FTE \$27.1 Million
Prisoner Transportation	110 FTE \$4.7 Million ( <i>\$5.6 Million, if receive full benefits</i> )	116 FTE \$6.2 Million	81 FTE \$4.2 Million	116 FTE \$6.2 Million
Cell Block (includes 24-hour lock-ups in Hartford and New Haven)	228 FTE \$9 Million ( <i>\$10.8 Million, if receive full benefits</i> )	241 FTE \$12.9 Million	174 FTE \$8.8 Million	241 FTE \$12.7 Million
Service of Process	245 self-employed; part-time supervision by eight high sheriffs ~\$100,000	130 FTE \$6.5 Million (may be offset by potential revenue of ~\$10 Million)	<i>Appointment by or registration with the State (e.g., Judicial Branch)</i>  2 FTE ~\$175,000	
FTE = full-time equivalent staff				



# Executive Summary

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## CONNECTICUT SHERIFFS SYSTEM

Sheriffs in Connecticut transport prisoners, provide security at courthouses, and serve legal papers. The system is organized geographically, with overall authority shared by the eight high sheriffs and the Sheriffs' Advisory Board.

General Fund expenditures by the Office of the County Sheriffs for security and transportation activities in state fiscal year 1999 totaled nearly \$25 million. Gross revenue collected by sheriffs in calendar year 1998 from service of process work was nearly \$13 million.

The *high sheriffs* are constitutional officers, elected every four years. Their duties are statutorily specified. Each high sheriff is statutorily authorized to appoint a specified number of deputy sheriffs and an unlimited number of special deputy sheriffs. The *deputy sheriffs*, also known as "paper sheriffs," have the same powers as a high sheriff with respect to serving legal process. For the most part, they are limited to working within the county from which they are appointed.

Individuals who perform courthouse security and prisoner transportation functions are called *special deputy sheriffs*. They are paid a per diem salary for the days they work. Although there are nearly 1,000 special deputies statewide, only about 80 percent work on any given court day. They also are limited to working within the county from which they are appointed.

Sheriffs exist in every state except Alaska. However, the roles and responsibilities of sheriffs in Connecticut differ from their counterparts in many other states because of the absence of county government here. Law enforcement functions performed by sheriffs in many other states are handled by state and local police in Connecticut.

Determining which structure is best for delivering the services currently provided by sheriffs in Connecticut encompasses a variety of factors. The first question is whether one entity should continue to provide all of the services, or whether it would be better to split up the functions among different agencies? If the latter, which functions need to stay together? Additionally, which agencies would best be able to carry out the required functions?

The general court security function relates to court facilities. It includes the operation of metal detectors and the maintenance of safety within courtrooms and parking areas. The first consideration is whether responsibility for it should be removed from the statutory control of the sheriffs. If so, then where should it be placed? The most realistic agencies would be the Judicial Department, the Department of Correction, or the Department of Public Safety.

Assignment of the function to a single authority, rather than being overseen by eight different administrators, would permit a more even distribution of work and establishment of consistent operational policies statewide. Giving the responsibility to the Judicial Department

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would mean the agency that already oversees other aspects of courthouse operations, such as scheduling and building-related policies, would have the authority to coordinate security.

The next question concerns whether the lock-up function (i.e., oversight of the cell block area and the prisoners held there) should be grouped with the general court security function or the prisoner transportation function. The decision is probably best answered by looking at the current system, where transit staff are most likely to work in the cell block area when not on the road. These workers are familiar with the prisoners brought to the courthouse, and there is a custodial role in both functions

The next question is whether to keep all court-related functions together or whether to assign prisoner transportation elsewhere. The primary rationale for maintaining everything in one agency is to establish uniform qualifications and operating procedures. It also would provide flexibility for moving personnel across functional areas and physical locations when workloads fluctuate.

The principal advantage of separating security and transportation functions is to optimize the use of personnel with specialized training and skills in the areas they are most familiar with. It also may result in cost savings from a more efficient deployment of personnel.

The next area to examine is service of process. A key consideration is who should be authorized to perform this work. The nature of the activities involved requires flexibility. If state employees served process, the state would receive the fees collected, but it would have to ensure the employees had access to timely clerical services and automobiles as well as a flexible work schedule.

If deputy sheriffs or registered individuals handle service of process, only a small regulatory unit would be needed at the state level to assess qualifications, verify compliance with training requirements, and maintain a roster of authorized process servers. The marketplace would economically reward those who perform well and avoid those who perform poorly.

In terms of "other" duties, the statutes authorize sheriffs to assist specific state and local officials with a variety of tasks. In many cases, these functions are rarely if ever performed by sheriffs. Eliminating the references to sheriffs would not affect the enforcement capability of those with primary responsibility for the particular function.

Tables V-1A through V-1D in Chapter Five of the report summarize the advantages and disadvantages of having specific entities, including sheriffs, perform the functions currently provided by sheriffs. Also included for each alternative is the estimated cost.

Based on the staffing levels and salaries specified in the report, it is estimated changing the system as recommended below would cost an additional \$9 million per year. However, depending on the outcome of collective bargaining negotiations special deputy sheriffs will begin shortly, the additional cost to the state could be less than \$3 million per year. And, if projected staffing efficiencies are also attained, the state has the potential to save money.

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## RECOMMENDATIONS

1. The Judicial Department should be designated the entity responsible for the general courthouse security function.
2. The cell-block function should be grouped with the prisoner transportation function, regardless of the agency selected to perform prisoner transportation.
3. The Department of Correction should take over responsibility for the transportation of prisoners to court (and their custody within the court lock-ups).
4. Connecticut should offer a registration option that, at a minimum, would allow qualified individuals to serve original summonses and complaints as well as post-judgment documents on a statewide basis.
5. State oversight of process servers should be given to the Judicial Department.
6. The statutes authorizing sheriffs to assist other parties with specific duties should be revised to eliminate the references to sheriffs.
7. If changes are to be made in the administration of the courthouse security and prisoner transportation functions, the changes should become effective as early in fiscal year 2001 as possible.
8. If the sheriffs' system is retained:
  - the role of the Sheriffs' Advisory Board should be revised to reflect its name (i.e., provide advice), or it should be eliminated;
  - authority over all aspects of the special deputy sheriffs and the Office of the County Sheriffs should be given to a statutorily established executive branch entity called the Sheriffs Department;
  - the newly created Sheriffs Department should have a permanent central administrative staff and a specific number of special deputy sheriffs per region; and
  - the Sheriffs Department should be run by a statutory Council of Sheriffs, composed of the eight high sheriffs, and actions of the council would require an affirmative vote by a majority of the total membership, not just those present. (Designees would not be authorized to vote.)

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9. Minimum standards for court security and prisoner transportation workers should be:

- 21 years of age;
- U.S. citizen or lawful resident of the country;
- high school graduate (or its equivalent);
- possess and retain a Connecticut motor vehicle operator's license;
- have no felony convictions; and
- be a resident of the state by the time training is completed.

Applicants who achieve a score of at least 70 on a written exam that parallels the scope of the test given by DAS for correctional officers will be placed on a ranked list. New hires must be selected from the list based on the rankings from the exam. Prior to being admitted for training, those on the list must pass a medical exam that includes a drug screening and a physical fitness test. They also must undergo a thorough background check, including a criminal history and fingerprint check, an employment history, and a character reference check.

The training program for courthouse security and prisoner transport workers shall include at least 200 hours of classroom work and 120 hours of on-the job training. Individuals chosen to attend training will be given a conditional appointment, dependent upon successful completion of both components of training.

10. Minimum criteria for those who serve process shall be:

- 21 years of age;
- U.S. citizen or lawful resident of the country;
- high school graduate (or its equivalent);
- possess and retain a Connecticut motor vehicle operator's license;
- have no felony convictions; and
- resident of Connecticut.

In addition, the person must post a \$10,000 bond and maintain \$300,000 in liability insurance.

# Introduction

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## Connecticut Sheriffs System

The primary responsibilities of sheriffs in Connecticut are transporting prisoners, providing security at courthouses, and serving legal papers. The sheriffs system is organized geographically according to the lines of the state's eight counties. Overall authority is shared by the elected high sheriff from each county and the Sheriffs' Advisory Board. During the past few years, steps have been taken to standardize a number of policies and administrative operations statewide.

The General Fund appropriation for the Office of the County Sheriffs in state fiscal year 2000 is \$27 million. This money will be used almost exclusively for security and transportation activities.

The gross revenue reported by sheriffs in calendar year 1998 was nearly \$13 million, most of which came from service of process work. Net income after expenses was reported to be \$7.5 million.

In 1994, the Legislative Program Review and Investigations Committee issued a report on the state sheriffs system. Although changes were made as a result of that report, the overall organizational structure of the system remained the same. In September 1999, the committee voted to update the information contained in its earlier report and evaluate alternative models for the performance of the duties of the sheriffs.

### Report Format

This report is divided into five chapters. The first contains definitions and describes the roles of the individuals and entities involved in the sheriffs system in Connecticut. The second describes current staffing and budget expenditures for the system. The third chapter lists the recommendations the program review committee made during its earlier study and describes changes made in the sheriffs system since that report. The fourth chapter summarizes methods used in other states to carry out the types of functions performed by Connecticut sheriffs.

Chapter Five compares the current sheriffs system and alternative approaches that could be used for the courthouse security, prisoner transportation, and service of process functions, including the estimated cost of each. It also contains a set of recommendations.

Appendix A provides a brief history of sheriffs in Connecticut, and Appendix B presents a comparison of the individual counties. Appendix C lists

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the Connecticut statutes concerning sheriffs, while Appendix D summarizes information about who performs service of process nationwide including Connecticut. Appendix E contains the detailed calculations for the estimated costs of the options considered by the committee.

### **Agency Response**

It is the policy of the Legislative Program Review and Investigations Committee to provide agencies subject to a study with an opportunity to review and comment on the recommendations prior to publication of the final report. None chose to submit a formal response.

# Chapter One

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## Roles and Responsibilities

Although county governance no longer exists in Connecticut, under the state constitution sheriffs are still elected on the basis of county lines. Appendix A contains a brief history of sheriffs in Connecticut; Appendix B contains a map with the boundaries of the counties and demographic information about each.

The eight elected sheriffs are responsible for the appointment of personnel and the performance of statutorily specified activities within their respective regions. Several state entities also have roles in the operation of the sheriffs system. They include the Office of the County Sheriffs, the Sheriffs' Advisory Board, the Judicial Department, the Department of Correction (DOC), and the Office of the Attorney General. This chapter describes the roles and responsibilities of each.

### Sheriffs

In Connecticut, individuals elected under the state constitution are generally known as *high sheriffs*. They serve four-year terms and take office on the first day of June after their election.

The constitution does not specify any duties or salary for the elected sheriffs. Instead, all responsibilities of these and other types of sheriffs are enumerated in the statutes. Many of their powers and duties are specified in Chapter 78, but other sections of the statutes also spell out responsibilities, particularly related to the execution of specific types of documents. Appendix C lists more than 150 statutory sections that reference sheriffs. However, the key functions of the sheriffs are:

- receive process, execute it promptly, and make "true" return;<sup>1</sup>
- pay money collected on behalf of a person to that person within 90 days or upon collection of \$1,000 whichever occurs first;
- transport male prisoners between courthouses in the county and community correction centers as well as other places of confinement;
- transport adult female prisoners between courthouses in the county and community correction centers (but not Niantic correctional institution);
- maintain custody of prisoners at courthouses within the county; and
- "attend" the supreme, appellate, and superior courts.

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<sup>1</sup> Service of process is a method of formally commencing a lawsuit by giving notice of the action to the defendant. A copy of the notice is given to the defendant. The original and a statement attesting to the time and manner in which the copy was delivered is filed with the court.

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Each high sheriff is statutorily authorized to appoint a chief deputy sheriff, a specified number of deputy sheriffs, and an unlimited number of special deputy sheriffs. A brief description of the duties of each is presented below.

**Deputy sheriffs.** Also known as "paper sheriffs," deputy sheriffs have the same powers as a high sheriff with respect to serving legal process. Each appointee is responsible for his or her own performance, but the high sheriff may become involved if a complaint is made about work that was (or was not) done. With few exceptions, deputy sheriffs are limited to working within the boundaries of the county of the high sheriff who appointed them.

The major types of work performed by deputy sheriffs are service of process, executions against wages, bank accounts, and property, and the collection of delinquent taxes. Service of process includes writs, summonses, subpoenas, evictions, and capias (writs that require taking a person into custody). Deputies receive most of their work directly from law firms, governmental entities, and individuals who need papers served.

The duties of deputy sheriffs require them to divide their time between office activities and work on the road. A considerable amount of record keeping is involved, both before and after a document is served. A number of deputy sheriffs have offices with answering machines, computers, facsimile machines, and photocopiers. Some deputies in the larger counties also employ secretarial help.

**Chief deputy sheriff.** In each county, the high sheriff selects one deputy sheriff to serve as chief deputy. This person is statutorily authorized to exercise all of the powers and duties of the high sheriff in his or her absence.

**Special deputy sheriffs.** The individuals who perform courthouse security and prisoner transportation functions are called special deputy sheriffs. The number of people actually performing the job of special deputy sheriff in each county depends on the amount of state funding allocated to the county. This figure is based on the level of court activity. Table I-1 summarizes the number of courthouse locations and courtrooms by county. (Appendix B contains more detailed information about court cases in each county.)

Special deputy sheriffs assigned to prisoner transportation are responsible for moving prisoners between locations safely, securely, and with the proper paperwork. They use vans, carryalls, and automobiles.

TABLE I-1. Courthouse Statistics.		
County	Locations	Courtrooms
Fairfield	10 sites in 4 towns	57
Hartford	13 sites in 6 towns	66
Litchfield	3 sites in 2 towns	5
Middlesex	3 sites in 1 town	19
New Haven	11 sites in 5 towns	72
New London	5 sites in 3 towns	17
Tolland	3 sites in 1 town	9
Windham	4 sites in 3 towns	8
Sources of data: Judicial Department and Office of the County Sheriffs.		

In FY 99, sheriffs transported 173,397 prisoners and traveled 867,510 miles. Table I-2 presents county specific data related to prisoner transportation.



Special deputies working in cell blocks are responsible for verifying prisoners are not carrying weapons or other unauthorized items, bringing the correct people up to the courtroom, and ensuring prisoners are properly restrained to prevent injury or escape. They also keep track of the location of the prisoners appearing at the courthouse throughout the day. In most counties, transport staff work in the cell block area when they are not on the road transporting prisoners.

<b>TABLE I-2. Prisoner Transportation Data.</b>			
<i>County</i>	<i>Miles</i>	<i>Prisoners</i>	<i>Vehicles</i>
Fairfield	140,311	40,962	7
Hartford	163,440	36,487	11
Litchfield	81,519	3,041	4
Middlesex	52,296	5,640	3
New Haven	178,421	62,633	8
New London	121,884	16,515	6
Tolland	49,890	4,321	3
Windham	79,749	3,798	4
Total	867,510	173,397	46
Source of data: Office of the County Sheriffs.			

Special deputies assigned to courtroom security perform a wide variety of functions during a single day. Those assigned to a specific courtroom announce the start and close of the session, maintain order in the courtroom while proceedings are underway, guard prisoners to prevent escape or violence, and, if jurors are present, escort them to and from the courtroom. These personnel may also monitor hallways, stairwells, and parking areas. Special deputies assigned to metal detectors must assess the level of risk each person passing through the detector represents and be able to recognize and safely confiscate camouflaged weapons as well as everyday objects that could be used as weapons.

**Conditions of holding office.** Each high sheriff must execute a \$10,000 bond payable to the state, conditioned on faithful discharge of the duties of the office. High sheriffs and deputy sheriffs collecting tax warrants for the state or a municipality must execute a \$100,000 bond. In addition, sheriffs must carry personal liability insurance for damages caused during the performance of their official duties -- \$100,000 for damages to one person and \$300,000 to more than one person.

The state constitution (Article Fourth, Sec. 25) specifies sheriffs "shall be removable by the general assembly." If a sheriff dies, resigns, or is removed from office by the General Assembly, the governor may fill the vacancy until such time as the General Assembly fills it.

Under C.G.S. Sec. 6-36, the General Assembly must remove from office any high sheriff who: "(1) knowingly demands or receives illegal fees for serving process, (2) illegally detains any money collected by him or (3) refuses to satisfy an execution issued against him." C.G.S. Sec. 6-46 requires the Superior Court in the county where the high sheriff holds office "on the information of the state's attorney," to remove from office any high sheriff who "demands or receives any compensation from any deputy." Such person is disqualified from ever holding the office of high sheriff again.

**Compensation.** Each high sheriff receives an annual salary for the performance of all duties required by law, except service of civil process. There are two statutorily specified salary levels, depending on the size of the county. High sheriffs are considered to be on duty 24 hours a day. The state pays the sheriffs a pro rated portion of their annual salary every two weeks. They

also receive health insurance benefits and participate in the state retirement system like other state employees. In addition, the state provides each high sheriff with an automobile.

Each chief deputy sheriff receives a statutory salary and the same health and retirement benefits as the high sheriff. Chief deputies are also eligible to receive per diems for court security duties on the days they are present at a courthouse. They also can earn service of process fees.

Table I-3 lists the current statutory salaries of the high sheriffs and chief deputy sheriffs. These rates have been in effect since 1987.

<b>TABLE I-3. Salaries of the High Sheriffs and Chief Deputy Sheriffs.</b>		
<i>County</i>	<i>High Sheriff</i>	<i>Chief Deputy Sheriff</i>
Fairfield, Hartford, New Haven, and New London	\$37,000	\$11,000 + \$100 per diem for each day worked at courthouse
Litchfield, Middlesex, Tolland, and Windham	\$35,000	\$10,500 + \$100 per diem for each day worked at courthouse
NOTE: All of these individuals are also statutorily eligible to earn service of process fees.		
Source of data: C.G.S. Sections 6-33 and 6-40.		

Deputy sheriffs are paid on a fee basis for the work they do. These fees are specified in statute and vary with the function involved. In many cases, the fee is a specified amount. However, in situations involving the recovery of assets, the fee is usually a percentage of the amount recovered. Service of process work, executions, and the collection of delinquent taxes by a high sheriff or chief deputy sheriff are paid at the same rate as that paid to any deputy sheriff. (See Table A in Appendix C for a detailed list of the statutory fees.)

High sheriffs and chief deputy sheriffs are required to file an "Annual Statement of Income" with the State Ethics Commission by May 1 of each year for the previous calendar year. The report details their income as a sheriff by type of work (e.g., court attendance, service of process, tax collections, etc.).

Special deputy sheriffs receive a per diem payment for each day they work, based on statutorily specified rates. The amount ranges from \$110 to \$140 per day, depending on the task performed. Table I-4 lists the rates for each task.

Special deputy sheriffs are covered by social security and the state retirement system, can purchase health

<b>TABLE I-4. Pay For Special Deputy Sheriffs.</b>	
<i>Task</i>	<i>Per Diem Rate</i>
Base rate	\$110
Metal detector court officer	\$115
Cell block officer	\$120
Transportation court officer	\$130
Supervisory court officer	\$140
Second or third shift at overnight jail facility	additional \$5 shift fee
Source of data: C.G.S. Sec. 6-41.	

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insurance through payroll deductions (but with no state contribution), and may participate in the dependant care program. Recently those who work a regular schedule equivalent to full-time hours have been deemed eligible to receive holidays and personal leave days. Special deputies are not eligible for paid vacation or sick days.

### **Sheriffs' Advisory Board**

Under C.G.S. Sec. 6-32a, the *Sheriffs' Advisory Board* is responsible for administering "a prisoner transportation and courthouse security system." Although the board was created in 1980, most of its present duties were added during the 1990s. The board is currently required to:

- establish minimum qualifications for courthouse security personnel and develop a standardized test for applicants;
- establish training programs for deputy and special deputy sheriffs;
- establish operating procedures for the transportation and courthouse security system;
- maintain records of all prisoner transportation movements;
- develop a reference manual for deputy sheriffs; and
- receive and allocate appropriations for operation of the transportation and courthouse security system.

The board, which is assigned to the Office of the Comptroller for administrative purposes only, has five-members. The chairman and vice-chairman are high sheriffs, selected by the eight high sheriffs in a manner they choose. The other members are the commissioner of correction, the chief court administrator, and the comptroller. Each member must designate an alternate.

There are no specified meeting requirements for the Sheriffs' Advisory Board. The number of meetings per year has varied since the creation of the board. In the early 1980s, the board usually met two to five times per year. From 1990 through 1993, the board only met a total of six times. During the past few years, the board has met approximately every two months. Based on the minutes from the 1998 and 1999 meetings, the most common topics discussed during that period were training-related issues, budget and staffing levels, and activities related to recommendations made by the state auditors.

Although there was only one meeting during the past two years when the board did not have a quorum, attendance at the 11 meetings was mixed. Both high sheriffs attended all but one meeting. The official Department of Correction representative was at all but two meetings, while the Judicial Department representative attended two-thirds of the meetings. The official designee of the comptroller was at five of the 11 meetings. Other high sheriffs, chief deputy sheriffs, and employees of the entities represented on the board also attended meetings.

**Office of the County Sheriffs.** The entity that handles day-to-day administrative tasks for the sheriffs system, including payroll, purchasing, and training coordination for the prisoner transportation and courthouse security system is called the *Office of the County Sheriffs*. It has no statutory basis and is not directly attached to any other state agency. However, the nine

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employees in the central office serve as the staff to the Sheriffs' Advisory Board. Another eight employees are assigned to the individual counties, generally one per county. They work under the supervision of the high sheriff in that county. All of the individuals employed by the Office of the County Sheriffs are General Fund employees in state classified service.

**Council of High Sheriffs.** Another entity involved in the sheriffs system is *the Council of High Sheriffs*. This informal group, established in 1997, is composed of the eight high sheriffs. (Chief deputy sheriffs and special deputies who supervise court operations may also attend meetings.) The council meets monthly, and it is the entity currently establishing statewide operational policies for use by all of the high sheriffs.

Although the council currently has no by-laws, most policies are established by mutual agreement. If consensus cannot be reached, decisions are based on majority rule. Personnel from the Office of the County Sheriffs central office provide staff support to the council.

## **Judicial Department**

Under the current system, responsibility for court security is divided between the Judicial Department and the sheriffs. Under C.G.S. Sec. 51-9, the chief court administrator of the Judicial Department is responsible for supervising the care and control of all property where the department is the primary occupant. The sheriffs provide personnel to perform security tasks.

Judicial Department employees are involved in decisions about the location, design, and remodeling of buildings as well as the maintenance, cleaning, and security of courthouse facilities. The department pays for equipment and structural changes to improve the security of the courthouses from its budget.

In 1988, the Judicial Department established a task force to review its security needs. One result was development of a security manual, completed in June 1989 and updated in 1995.

Each of the 13 judicial districts has a security committee. Each committee includes the administrative judge for the district, the trial court administrator for the district, supervisors from the various units located within the courthouses in the district (such as the state's attorney's office, the public defender's office, the clerk's office, and the maintenance unit), a representative of the high sheriff's office, a lawyer from the area, and a representative from the nearest state police troop. The committees meet as needed to discuss security issues in their respective districts.

On an ongoing basis, presiding judges may discuss courtroom staffing needs with the sheriff's office. The security manual contains suggested minimum staffing levels for special deputy sheriffs. However, the actual number of special deputy sheriffs assigned to a specific location is determined by the high sheriff based on court activity and the funding available for staff countywide.

The Judicial Department also has a Statewide Security Committee. There are seven members: a judge, the chief state's attorney, the chief public defender, the director of

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administrative services for the court, the director of court operations, the director of court facilities, and the high sheriff who is chairperson of the Sheriffs' Advisory Board. The group meets three times a year to discuss security issues of statewide concern.

### **Department of Correction**

The commissioner of correction is one of the three original members of the Sheriffs' Advisory Board. Sheriffs interact regularly with the Department of Correction because most pre-trial prisoners are held at DOC centers while awaiting trial. In addition, sentenced offenders are turned over to the custody of the department to serve their sentence.

Most people transported by special deputy sheriffs are picked up at and/or returned to Department of Correction facilities. The locations of facilities used by DOC to house pre-trial prisoners within a particular county and the specific procedures used to transfer custody of prisoners between the sheriffs and DOC personnel affect the workload of the sheriffs system. Special deputy sheriffs also work with correctional officers when they bring incarcerated prisoners directly to courthouses for appearances.

### **Office of the Comptroller**

The role of the Office of the Comptroller is limited with respect to the operations of the sheriffs. The Sheriffs' Advisory Board was placed under the comptroller for administrative purposes in 1989. Since then, there has been little contact between staff in the comptroller's office and staff for the county sheriffs, although the comptroller is a member of the Sheriffs' advisory board.

### **Office of the Attorney General**

The Office of the Attorney General has contact with the sheriffs system in two ways. In a role similar to that provided to other state agencies, the office may represent the sheriffs in various legal proceedings. C.G.S. Sec. 3-125 specifically requires the attorney general to appear for the high sheriffs and chief deputy sheriffs in certain civil matters. The office also may need to use sheriffs for service of process work.

### **Department of Administrative Services**

The primary interaction between the sheriffs system and the Department of Administrative Services (DAS) involves the testing process for special deputy sheriffs. DAS gives the exam, scores the answers, and reports the results to the applicants and the sheriffs.

## Chapter Two

### Fiscal and Staffing Information

The primary source of funding for sheriffs' activities related to administration, court security, and prisoner transportation is the state General Fund. It provides money for the salaries of high sheriffs, chief deputy sheriffs, and administrative staff. It also pays all per diems for special deputy sheriffs. In FY 99, expenditures totaled \$24.6 million for approximately 800 full-time equivalent personnel.

Money for the work of deputy sheriffs is paid in the form of fees by those who request or are the recipients of the work. Last year 245 deputy sheriffs reported \$12.8 million in gross income.

#### General Funds

The budget appropriated to the Office of the County Sheriffs is based on data obtained from the eight high sheriffs and the Judicial Department. Information about the addition of new facilities or renovations to existing courthouses is an important factor in developing staffing requirements.

The Office of the County Sheriffs uses the same budget forms and follows the same process as any other state agency. Permanent full-time central office staff prepares all budget documents, the chairperson of the Sheriffs' Advisory Board signs the actual request, and copies of the document are given to the other members of the board. The budget request is submitted to the Office of Policy and Management (OPM); the Appropriations Committee reviews the governor's recommendation. The actual appropriation is contained in the budget adopted by the full legislature.

The sheriffs' budget lists expenditures for courthouse security, prisoner transportation, and support services, but it does not break out spending by county. Table II-1 shows statewide fiscal information from state FY 94 through FY 01. During the period from FY 94 through FY 99, the last year for which actual expenditures are available, the budget increased 40 percent.<sup>2</sup>

As is the case for most state agencies, payments for fringe benefits such as health insurance and pensions are made by the comptroller's office out of its budget. In addition, the state's share of social security payments, unemployment insurance, and workers compensation for both General Fund employees and special deputy sheriffs are paid by the comptroller.

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<sup>2</sup> During this same period, total General Fund expenditures increased 19 percent. Judicial Department expenditures increased 59 percent, Department of Correction expenditures increased 20 percent, and Department of Public Safety expenditures increased 27 percent.

The breakdown of the funds and staff for each county occurs after the Office of the County Sheriffs receives its allocation for the new fiscal year. A spending plan is prepared using equal staffing levels throughout the year, but allocations are made bi-weekly. Actual expenditures are tracked after each payroll, and office staff follow-up on spending that is above or below the allocation. New initiatives are also monitored.

**TABLE II-1. General Fund Budget Data for Office of the County Sheriffs,  
State Fiscal Years 1994 - 2001 (in millions).**

	<i>Actual FY 94</i>	<i>Actual FY 95</i>	<i>Actual FY 96</i>	<i>Actual FY 97</i>	<i>Actual FY 98</i>	<i>Actual FY 99</i>	<i>Approp FY 00</i>	<i>Approp FY 01</i>
Courthouse security	\$13.8	\$14.3	\$15.8	\$16.1	\$17.2	\$18.9	\$21.3	\$21.2
Prisoner transport	\$2.6	\$2.6	\$2.7	\$2.7	\$2.6	\$3.5	\$3.2	\$3.3
Support services	\$1.2	\$1.1	\$1.4	\$1.2	\$1.3	\$2.3	\$2.7	\$2.8
TOTAL*	\$17.6	\$18.1	\$19.9	\$20.0	\$21.1	\$24.6	\$27.1	\$27.2
Percent Change from previous year's budget		2.8%	9.9%	0.5%	5.5%	16.6%	10.2%	0.4%

\* Numbers in columns may not total exactly due to rounding.

Sources of data: Office of Fiscal Analysis and Office of the County Sheriffs.

Based on the money available, each high sheriff decides how many special deputies can be used on a given day. Staffing levels can change during the year in response to the requirements at the various courthouses. Each county is limited to a specified number of supervisory positions payable at the supervisor's per diem rate. (Deputy sheriffs do not receive money from the Office of the County Sheriffs budget unless they perform security or prisoner transportation functions at a courthouse.)

Funds for supplies and equipment are handled through the central office. Each county is budgeted a certain amount each year, but there is flexibility to shift funds between counties if a need arises. Funds for items such as "motor vehicle repairs" and "rentals" (vans obtained from the state central fleet when assigned vehicles are in for repairs) are managed centrally.

Table II-2 shows state FY 99 expenditures for personnel, training, and other expenses for the individual counties as well as the central office. Expenditures for Hartford and New Haven counties are higher because each operates a 24-hour per day, seven day per week, lock-up facility.

<b>TABLE II-2. State FY 99 County Expenditures, by Category.</b>					
<i>County</i>	<i>Salaried &amp; Gen. Fund Personnel</i>	<i>Special Deputy Per Diems</i>	<i>Other Expenses<sup>1</sup></i>	<i>Training, Vaccinations, &amp; Testing</i>	<i>TOTAL</i>
Fairfield	\$91,889	\$3,969,321	\$97,792	\$4,636	\$4,163,638
Hartford	\$72,586	\$6,516,920	\$386,252	\$4,644	\$6,980,402
Litchfield	\$81,186	\$860,660	\$53,499	\$1,508	\$996,853
Middlesex	\$86,029	\$1,101,597	\$43,761	\$2,266	\$1,233,653
New Haven	\$99,199	\$5,217,344	\$125,265	\$4,333	\$5,446,141
New London	\$48,000	\$1,864,961	\$83,439	\$1,350	\$1,997,750
Tolland	\$91,744	\$1,280,751	\$38,413	\$2,039	\$1,412,947
Windham	\$81,325	\$657,457	\$46,235	\$100	\$785,117
Ctrl. Office	\$568,298	Not Applicable	\$265,847	\$614,844 <sup>2</sup>	\$1,448,989
<b>TOTAL</b>	<b>\$1,220,256</b>	<b>\$21,469,011</b>	<b>\$1,140,503</b>	<b>\$635,720</b>	<b>\$24,465,490</b>
<sup>1</sup> Includes items such as motor vehicle related costs, supplies, laundry, travel, etc.					
<sup>2</sup> Includes cost of academy training conducted for special deputy sheriffs from all counties.					
Source of data: Office of the County Sheriffs.					

### Staffing By County

Including the high sheriffs, the chief deputy sheriffs, the central office staff, and the administrative staff assigned to each county, there were 41 permanent positions assigned to the sheriffs system in the FY 00 budget. As of December 1999, eight positions were vacant, including two added for FY 00.

Thirteen positions are assigned to the central office located in Hartford, including four of the vacant positions. Each county also has at least one person assigned to a courthouse to handle administrative work for the high sheriff. In New Haven, two people currently work at courthouses. Two of the new positions are designated to provide an additional person in Hartford and Fairfield counties. New London county is also authorized for two positions, but both have been vacant for some time.

Table II-3 lists the number of people holding appointments as deputy and special deputy sheriffs in each county. The number of special deputy sheriffs actually working on a typical day



(shown in column four) is lower than the number listed in column three because some appointees only work a few days per week or on an as needed basis.

<b>TABLE II-3. Sheriffs And Staff By County, 1999.</b>			
<i>County</i>	<i>No. Deputy Sheriff Appointees (Nov. 1, 1999)</i>	<i>No. Special Deputy Sheriff Appointees (October 1999)</i>	<i>FTE Special Deputies Working<sup>1</sup></i>
Fairfield	51	170	149
Hartford	63	274	231*
Litchfield	12	40	30
Middlesex	20	60	38
New Haven	61	232	186*
New London	22	86	65
Tolland	12	53	44
Windham	10	54	48
<b>TOTAL</b>	<b>251</b>	<b>969</b>	<b>791</b>
<sup>1</sup> Full-time equivalent (FTE) workers, based on those working at courthouses November 1999.			
* Includes operation of a 24-hour jail facility.			
Sources of data: Individual high sheriffs and the Office of the County Sheriffs.			

### **Deputy Sheriff Income**

The major categories of income for sheriffs authorized to serve papers are: statutory salaries, which only apply to high sheriffs and chief deputy sheriffs; per diem fees for security work at courthouses, which only the chief deputy sheriffs and a few deputy sheriffs earn; fees from service of process; wage, bank, and property executions; and collection of delinquent taxes. Table II-4 lists the number of people reporting income from each source as well as the range and median earnings for each category.<sup>3</sup>

<sup>3</sup> All of the information about deputy sheriffs' income in this section is from the calendar year 1998 reports filed with the State Ethics Commission as of October 1999. Reports were filed by 250 individuals, but five had no income. The program review committee staff analysis is based on the information self-reported by the 245 individuals with gross incomes above zero. (*Gross income* is the total amount of income reported as received for work as a sheriff.) Data for three filers who did not fully break down their income by category were not included in Table II-4, but were included in all other analyses in the section.

The primary factors affecting income are the specific types of work performed, the volume of work done, and the costs incurred to perform the work. During calendar year 1998, the high sheriffs and deputy sheriffs reported a total of \$12.8 million in gross revenue from all sources for their work as sheriffs. Total net income (gross income minus reported expenses) of \$7.5 million was reported.

<b>TABLE II-4. Major Sources of Income for High Sheriffs and Deputy Sheriffs, Self-Reported for Calendar Year 1998.</b>				
<i>Type of income</i>	<i>No. reporting earnings in category</i>	<i>Sum of reported earnings</i>	<i>Range of reported earnings</i>	<i>Median value of reported earnings</i>
Service of process	235	\$9,706,579	\$185 - \$239,122	\$29,864
Wage, bank, and property executions	166	\$1,595,532	\$20 - \$92,006	\$3,276
Tax collections	41	\$667,162	\$42 - \$120,119	\$5,225
Salary & court attendance*	27	\$617,141	\$325 - \$38,008	\$27,892
Other	7	\$73,633	\$435 - \$60,013	\$2,375
* Includes statutory salaries paid to high sheriffs and chief deputy sheriffs.				
Source of data: Individual income reports for calendar year 1998 filed with the State Ethics Commission.				

Sixteen percent of those who filed reports with the State Ethics Commission grossed less than \$10,000; 13 percent grossed more than \$100,000. The gross income of the 245 sheriffs reporting earnings for 1998 ranged from \$100 to \$337,385 with a median of \$41,115. The gross income (including statutory salary) reported by the eight individuals holding office as high sheriffs in 1998 ranged from \$39,061 to \$125,935.

Information about expenses related to the performance of a person's official duties as a sheriff must also be reported. According to the instructions on the reporting form, the figure is supposed to include "proportionate amounts" for employee expenses, office expenses, and transportation expenses. Actual expenses listed in the calendar year 1998 reports ranged from \$0 to \$140,088; the median was \$14,092. Net income ranged from a loss of \$3,945 to a profit of \$205,758. Median net income statewide was \$22,831.

Six percent of the sheriffs filing reports had net losses, while the top 6 percent had net earnings of more than \$80,000 each. Almost three-quarters (71 percent) had net incomes below \$40,000.

Expenses reported by the eight high sheriffs ranged from \$1,963 to \$49,505. Net income reported by the eight individuals who were high sheriffs in 1998 ranged from \$37,098 to \$76,430.

The amount of money earned by deputy sheriffs varied considerably within and among the eight counties. Table II-5 shows the range of gross earnings and the range of expenses reported by those filing reports from each county. The table also indicates the median annual gross income and the median net income in each county and statewide.

<b>TABLE II-5. Self-Reported Income of High Sheriffs and Deputy Sheriffs for Calendar Year 1998, by County.</b>					
<i>County</i>	<i>No. of Sheriffs Reporting Income</i>	<i>Range of Gross Income *</i>	<i>Range of Reported Expenses</i>	<i>Median Gross Income</i>	<i>Median Net Income</i>
Fairfield	42	\$2,603 - \$187,084	\$1,963 - \$74,486	\$59,918	\$37,528
Hartford	64	\$451 - \$253,378	\$175 - \$140,088	\$49,848	\$20,509
Litchfield	17	\$185 - \$72,605	\$25 - \$19,294	\$22,659	\$14,413
Middlesex	17	\$100 - \$66,824	\$600 - \$36,294	\$32,576	\$14,043
New Haven	60	\$635 - \$337,385	\$0 - \$136,043	\$48,061	\$28,968
New London	23	\$4,051 - \$93,562	\$1,930 - \$46,543	\$30,991	\$14,535
Tolland	14	\$1,160 - \$137,571	\$283 - \$25,105	\$12,110	\$7,641
Windham	8	\$6,155 - \$73,612	\$3,301 - \$36,703	\$29,563	\$20,834
Statewide	245	\$100 - \$337,385	\$0 - \$140,088	\$41,115	\$22,831
* Only includes those who reported income; five other people filed forms, but had no income as sheriffs.					
** The amounts reported are only for work as a sheriff. This includes statutory salaries, per diem fees for security work at courthouses, service of process, executions (wage, bank, and property), and collection of taxes.					
Source of data: Individual income reports for calendar year 1998 filed with the State Ethics Commission.					

## Chapter Three

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### Changes Since 1994 Report

The recommendations in the program review committee's February 1994 report (*Connecticut Sheriffs System*) focused on ensuring the sheriffs system remained responsive to the needs of the state. The report contained 12 recommendations dealing primarily with:

- the process for terminating deputy and special deputy sheriffs;
- the need for minimum hiring standards and training for courthouse security and prisoner transportation personnel; and
- the fees for and timeliness of the collection of money by deputy sheriffs on behalf of others.

All of the recommendations from the report were included in HB 5559, "An Act Concerning Sheriffs." The language in the bill was changed after the committee's March 1994 public hearing.

The substitute bill voted out by the program review committee would have transferred responsibility for courthouse security and prisoner transportation from the high sheriffs to a new Division of Protective Services in the Department of Public Safety. The bill also would have prohibited high sheriffs and candidates for that office from soliciting campaign contributions from deputy sheriffs. An amendment to establish a registration system allowing individuals to perform service of process work failed on a voice vote.

Substitute HB 5559 subsequently died in the Judiciary Committee. However, seven of the original program review committee recommendations were adopted in part or whole as an amendment to Public Act 94-177 (sHB 5433, "An Act Concerning the Lockup at the Lafayette Street Courthouse"). Table III-1 summarizes the original recommendations contained in the program review committee report and the disposition of each.

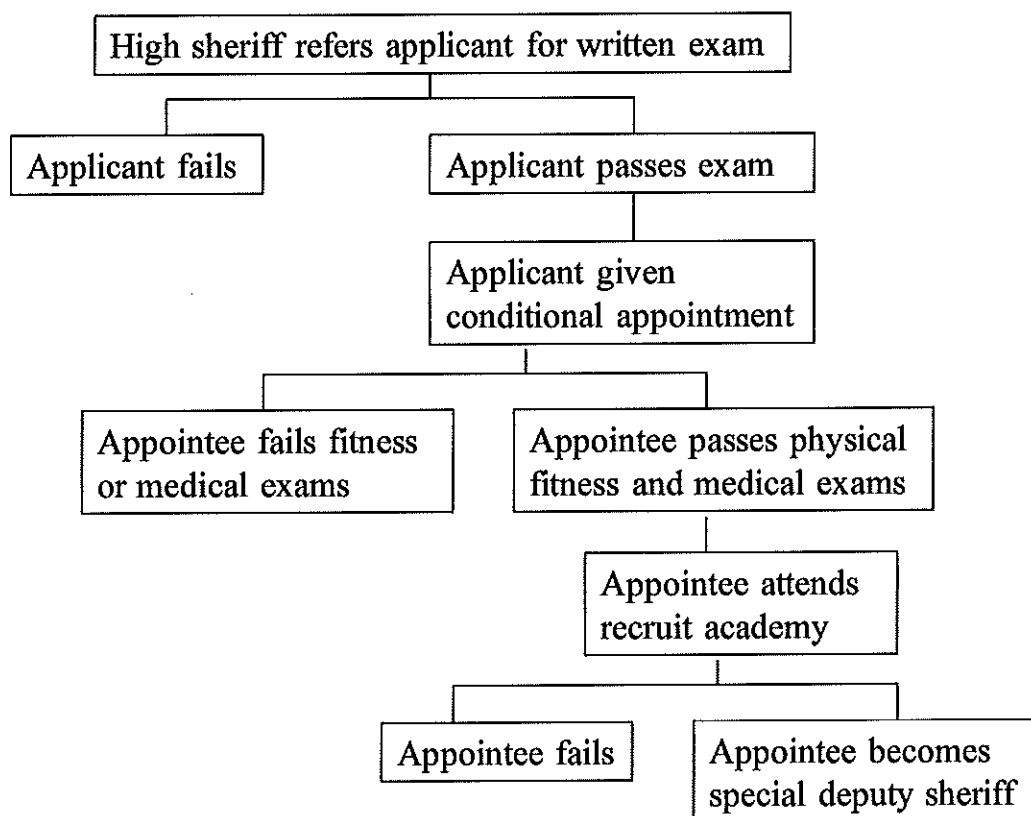
#### Qualifications for Special Deputies

In 1995, in response to Public Act 94-177, a job description for special deputy sheriffs was developed with assistance from the Department of Administrative Services. Appointees must be 18 years of age and a high school graduate or have passed the General Educational Development (GED) exam. They also have to possess the "knowledge and skills necessary to enable candidates to successfully complete the Agency's training program and then carry out assigned duties." In addition, they may be required to possess and retain a Connecticut motor vehicle operator's license.

<b>TABLE III-1. Status of Recommendations from 1994 Program Review Committee Report.</b>	
<i>Recommendation</i>	<i>Outcome</i>
Eliminate Sheriffs' Advisory Board, effective June 1, 1995	Not adopted; P.A. 94-177 did require board "approve" a training program for courthouse security personnel by October 1, 1995
Amend Sec. 6-43 to clarify special deputy sheriff can only be terminated prior to completion of four-year term of high sheriff for "just cause," based on person's performance of assigned duties	Adopted in P.A. 94-177
Require newly hired courthouse security and prisoner transportation personnel (i.e., special deputy sheriffs,) to meet minimum experience requirements and mandatory physical fitness standards and successfully complete mandatory training program -- persons already working as special deputies grandfathered in	Adopted in P.A. 94-177, but with implementation delayed until October 1, 1995
Amend Sec. 6-38 to delete limits on number of deputy sheriffs each high sheriff can appoint	P.A. 94-177 increased the caps in Hartford and New Haven (the only two counties near the limits)
Amend Sec. 6-45 to clarify deputy sheriff can only be terminated prior to completion of four-year term of high sheriff for "just cause" based on person's performance of assigned duties	Adopted in P.A. 94-177
Repeal Sec. 6-44 ("Appointment of special deputies upon application.")	Not adopted
Require Judicial Department, in consultation with high sheriffs, to develop reference manual for deputy sheriffs covering, at a minimum, service of process and wage, bank, and property executions by January 1, 1995	P.A. 94-177 required Sheriffs' Advisory Board to develop manual by January 1, 1995; manual completed April 1999
Amend Sec. 52-261(6) to allow deputy sheriff to continue collecting 10% of execution amount, but limit maximum to \$10,000; amend Sec. 52-261a(7) to allow deputy to continue collecting 3% of execution amount, but limit maximum to \$10,000	Not adopted
Amend Sec. 6-35 to require any sheriff or deputy sheriff who collects money on behalf of a person to turn over money within 30 days, even if only a portion of total amount collected	P.A. 94-177 required money be turned over within 90 days or when \$1,000 collected, whichever occurs first
Amend Sec. 1-83, regarding filing of reports with State Ethics Commission, to clarify high sheriffs and deputy sheriffs must provide information about taxable and nontaxable income earned in their capacity as sheriffs; also require detailed expense information	Not adopted
Require high sheriffs to reimburse the state for all use of state provided automobiles for personal business, including performance of all service of process work for nonstate agencies	P.A. 94-177 required high sheriffs to reimburse the state 21¢/mile for private service of process work
Prohibit "honorary" or nonworking" deputy sheriff appointments	Not adopted

Figure III-1 summarizes the process currently used to screen applicants. It involves the high sheriffs, the Office of the County Sheriffs, and DAS.

**FIG. III-1. Appointment Process for Special Deputy Sheriffs.**



Source: LPR&IC

Individuals interested in working as special deputy sheriffs submit an application directly to the high sheriff in the county where they would like to work. Each high sheriff sends the applications of the individuals he or she has selected as candidates for appointment to the Office of the County Sheriff, which forwards the names to DAS.

These individuals then take a written test, administered by DAS. The exam, which is given about once a month, assesses general skills considered relevant to success at the sheriffs training academy and on-the-job. It includes sections testing observational abilities, logic, reading comprehension, and personal interests. DAS compiles a list of those who passed the test and sends this to the Office of the County Sheriffs.

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Individuals from the list are selected by the high sheriffs for conditional appointments. They must pass physical fitness tests and a medical exam, which includes a drug screen. In addition, the appointing high sheriff is responsible for having a background check done, which includes information about the person's criminal history. Then, the person must successfully complete the Special Deputy Sheriff Recruit Training Academy.

Since June 1997, all special deputies have been required to perform their duties in accordance with the Office of the County Sheriffs' Ethics Statement and Code of Conduct. Upon successful completion of the recruit academy, new special deputy sheriffs must acknowledge in writing their receipt of the Ethics Statement and Code of Conduct.

**Training academy.** The training program for special deputy sheriff recruits has grown in length as well as the number of topics covered. The first session sponsored at the state level for recruits was held in January of 1996. It lasted 10 days and covered 17 areas of study. The three sessions held since May 1999 have lasted 21 days and had 37 courses. The cost for recruit salaries and equipment averages \$2,675 per attendee.

Courses range from one hour to 15 hours in length; most last less than four hours. General categories covered by the courses include physical health and safety, operation of equipment, security procedures, roles of various parties involved with the court, relevant laws, and workplace rules. The courses lasting four hours or longer are:

- Cardiopulmonary Resuscitation -- 15 hours;
- Handcuffing -- 15 hours;
- Management of Aggressive Behavior -- 15 hours;
- Oleoresin Capsicum Aerosol Training -- 11 hours;
- Bloodborne Pathogens -- 7.5 hours;
- Drug Awareness -- 4 hours;
- First Aid -- 4 hours;
- Laws of Arrest -- 4 hours; and
- Security Risk Groups -- 4 hours.

Recruits are required to observe certain rules of conduct during the training, and they must pass both written and practical exams. Their performance is evaluated twice during the academy in addition to a final evaluation at the end of the program.

Upon successful completion of the academy, appointees receive on-the-job training. During this phase, they work directly with other special deputies and gain practical experience performing the full range of duties they may be assigned. The training staff in the Office of the County Sheriffs and the training coordinators for each county have developed a recommended Field Training Program. It calls for new employees to receive at least three days each of supervised training in the areas of bailiff, metal detector, hallway security, lock-up, and transport. The number of field training days actually received and the timeliness of exposure to the full range of positions will vary by county.

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Continuing education opportunities are also required of special deputy sheriffs. Courses are offered annually in areas they are required to maintain certification in such as CPR or weapons (e.g., capstun and PR-24 batons). Also, during the summer of 1999, all supervisory personnel attended a five-day session on leadership development conducted by the Office of the County Sheriffs.

**Potential future changes.** The Council of High Sheriffs has been discussing several changes in the system of appointing special deputy sheriffs. Implementation is targeted for early 2000. The first change would eliminate anyone who has a felony conviction from being considered for the position, although the requirement would not apply to existing appointees.<sup>4</sup>

The second change would open up recruitment and allow anyone who met the general qualifications of the job to sit for the written exam. The details of the new process are still being worked out. Most likely, individuals would apply directly to DAS, which would screen applicants for eligibility. Based on the results of the written exam, the high sheriffs would select individuals for vacancies they have. The Office of the County Sheriffs would take over responsibility for conducting background checks; it would also conduct education and employment checks.

### **Rank Structure**

In the past, each high sheriff determined the organizational structure and the number of layers in the chain of command used in his or her county. In June 1999, the high sheriffs adopted a single rank structure and supervisory duty specifications for use in all of the counties. Under that plan, individuals could be designated majors, captains, lieutenants, and sergeants. The latter rank was to be used in a few of the counties, where sergeants would act as "lead persons" (rather than supervisors) and would fill in if a lieutenant was absent.

In August 1999, the system had to be modified to reflect the clearer separation between rank and file employees and managers needed to implement the impending collective bargaining process. As a result, only majors and captains were deemed management, and thus excluded from the new bargaining unit.

Individuals holding the title of captain within a county at the time of the change were offered the choice of giving up their rank and becoming a senior lieutenant in order to stay within the bargaining unit; most chose to retain the higher rank. At the end of 1999, the structure was being re-examined to determine what adjustments and reassignments might be needed to accommodate the exclusion of lieutenants as managers.

**Performance appraisals.** In May 1998, the Council of High Sheriffs adopted a systemwide policy requiring annual performance appraisals for all special deputy sheriffs who

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<sup>4</sup> Under C.G.S. Sec. 46a-79, it is public policy to encourage employers to give favorable consideration to providing jobs to qualified individuals, including those with criminal conviction records. C.G.S. Sec. 6-32e indicates the policy is not applicable to the prisoner transportation and courthouse security system, but it also specifies nothing prevents the Sheriffs' Advisory Board from adopting the policy. (This is similar to language in C.G.S. Sec. 46a-81 that applies to "any law enforcement agency.")



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have been employed for at least six months. The same form is used in all of the counties. It includes an evaluation of the appointee in seven areas -- knowledge of work, quality of work, ability to learn new duties, initiative, cooperation, judgement, and attendance. There are five possible ratings -- three categories of "Good" and two categories of "Less Than Good."

New appointees are rated twice -- first, after three months, and then at least two weeks before the end of the six-month working test period. Their evaluation form uses a different rating scale (Above Average, Average, and Below Average) and covers additional elements of performance.

**Discipline.** In June 1999, the high sheriffs formalized a statewide process to consistently deal with special deputies accused of violating the Code of Conduct. The system involves an investigation of alleged violations that are reported. It includes interviews with witnesses and the person who is the subject of the allegation.

In situations that may lead to the termination of a deputy or special deputy sheriff for "just cause," an evidentiary hearing would be held. (This action is based on verbal advice from the Office of the Attorney General because of the reference in C.G.S. Sections 6-43 and 6-45 to "due notice and hearing" before removal.) Staff from the Office of the County Sheriffs handles most of the investigatory component of the discipline process for the high sheriffs.

### **Deputy Sheriffs**

When the program review committee conducted its earlier study, there were considerable differences among the counties in the ways deputy sheriffs were selected and trained and in the rules they were required to follow. Today, the requirements placed on deputy sheriffs by the individual high sheriffs are more uniform, although differences do still exist.

All follow the statutory requirement of citizenship and the exclusion of justices of the peace and judges (except probate judges). One expressed a preference for law enforcement, military, or business backgrounds, while several merely require appointees to avoid other employment that could conflict with their duties as a deputy sheriff.

The statutorily required statewide reference manual for deputy sheriffs was published in the spring of 1999. Individuals appointed after the current sheriffs took office in June 1999 were required to attend a centralized two-week program of training. The program was taped, and portions of it may be used to train newly appointed deputies in the future. Other efforts currently underway to create more consistency include development of a code of conduct for deputy sheriffs (similar to that used for special deputy sheriffs).

Table III-2 summarizes additional training requirements for deputy sheriffs by county. It also describes the process for handling complaints and the methods used by the high sheriffs to distribute legal process received by their office.

**TABLE III-2. County Specific Information Regarding Deputy Sheriffs.**

<i>County</i>	<i>Training For Newly Appointed Deputies</i>	<i>Distribution of Work</i>	<i>Complaint Process</i>
Fairfield	one class per week for 6 months with high sheriff or chief deputy; ride with existing deputy for 30 days; work under supervision of existing deputy for 6 months; pass written test	multiple methods	written complaints investigated -- if necessary, correct problem
Hartford	attend classes with high sheriff or chief deputy; ride with existing deputy for seven days; work under supervision of existing deputy; knowledgeable staff immediately accessible	multiple methods	complaints handled by high sheriff or chief deputy
Litchfield	ride with existing deputy for 15 days; work under supervision of existing deputy for eight days; daily support available as needed	based primarily on geography	all complaints receive follow-up by high sheriff or chief deputy -- need not be in writing initially
Middlesex	tutored by senior deputy sheriff for two weeks; ride with existing deputy for two weeks; work under supervision of existing deputy for two weeks	multiple methods -- high sheriff performs minimal amount	ask for complaint in writing -- then follow due process procedures
New Haven	attend classes conducted by high sheriff or chief deputy; ride with existing deputy for at least 30 days; work under supervision of existing deputy	multiple methods	written and verbal complaints forwarded to Internal Affairs for investigation -- complainant advised of findings
New London	attend classes with high sheriff or chief deputy for two days; ride with existing deputy for four weeks; work under supervision of existing deputy for two weeks; in-service training for five days	given mostly to new deputies and those who are least busy	complaints investigated by high sheriff or chief deputy
Tolland	attend classes with high sheriff or chief deputy one day per month; daily instruction available as needed	multiple methods	all allegations and complaints are investigated
Windham	attend classes conducted by high sheriff or chief deputy; ride with existing deputy for one week	given out on geographic basis	complaints referred to high sheriff or chief deputy
multiple methods = combination of service by high sheriff and chief deputy as well as distribution on basis of geography, rotating schedule, and to those least busy or new deputies with less work			
Sources of data: Correspondence from and telephone conversations with individual high sheriffs in December 1999.			

At the time of the 1994 report, deputy sheriffs in four counties were required to submit their annual Ethics Commission filing to the high sheriff, who then transmitted the document to the commission. In two other counties, a copy of the report had to be given to the high sheriff. Today, three high sheriffs require submission of a copy of the report.

### Affirmative Action

When the program review committee conducted its earlier study, there were 692 individuals holding appointments as special deputy sheriffs. In August 1993, 88 percent were male and 12 percent were female. Three-quarters of the males were White, 9 percent were Black, 5 percent were Hispanic, and less than 1 percent were Asian or Native American. All but 4 percent of the females were White -- 2 percent were Black, and 2 percent were Hispanic.

In October 1999, there were 969 appointees, of whom 17 percent were female. A detailed breakdown of racial and gender data for each county is presented in Table III-3.

<b>TABLE III-3. Racial and Gender Data for Individuals Holding Appointments as Special Deputy Sheriffs (October 1999).</b>									
County	Total No.	MALES				FEMALES			
		White	Black	Hispanic	Other	White	Black	Hispanic	Other
Frflld	170	60%	13%	8%	1%	6%	5%	6%	--
Htfd	274	69%	10%	5%	1%	7%	4%	4%	--
Lchfld	40	68%	5%	--	--	28%	--	--	--
Mdlsx	60	75%	8%	2%	--	15%	--	--	--
NHvn	232	70%	11%	3%	--	11%	4%	1%	--
NLndn	86	77%	5%	4%	--	11%	5%	--	1%
Tllnd	53	77%	4%	--	2%	17%	--	--	--
Wndm	54	74%	--	2%	2%	19%	--	4%	--
Total	969	69%	9%	4%	1%	11%	3%	3%	<1%
* Numbers may not total exactly, due to rounding.									
Source of data: Office of the County Sheriffs.									

In August 1993, statewide 238 individuals held appointments as deputy sheriffs. (This was 77 percent of the statutorily allowed limit.) Twenty (8 percent) of these deputies were female; 14 (6 percent) were Black or Hispanic. Two counties had no female deputies. Half of

the counties had no Black or Hispanic deputies, while no county had any Asian or Native American deputies.

As of November 1, 1999, there were 251 deputy sheriffs statewide. (This represented 79 percent of the increased statutory limits.) Eighteen (7 percent) were female; 16 (6 percent) were Black or Hispanic. One county had no female deputies, while three counties had no Black or Hispanic deputies. There are still no Asian or Native American deputies. Table III-4 presents detailed information about deputy sheriffs by county.

<b>TABLE III-4. Number of Deputy Sheriffs, including Chief Deputies (November 1999).</b>						
County	Statutory Limit	Actual Appointees	% of Statutory Appointments Made	Number Male	Number Female	Number Black or Hispanic
Fairfield	55	51	93%	46	5	2
Hartford	72	63	88%	59	4	8
Litchfield	30	12	40%	10	2	1
Middlesex	21	20	95%	20	0	1
New Haven	62	61	98%	60	1	4
New London	38	22	58%	21	1	0
Tolland	22	12	55%	10	2	0
Windham	18	10	56%	7	3	0
<b>Total</b>	<b>318</b>	<b>251</b>	<b>79%</b>	<b>233</b>	<b>18</b>	<b>16</b>
Source of data: Correspondence from individual high sheriffs to the program review committee.						

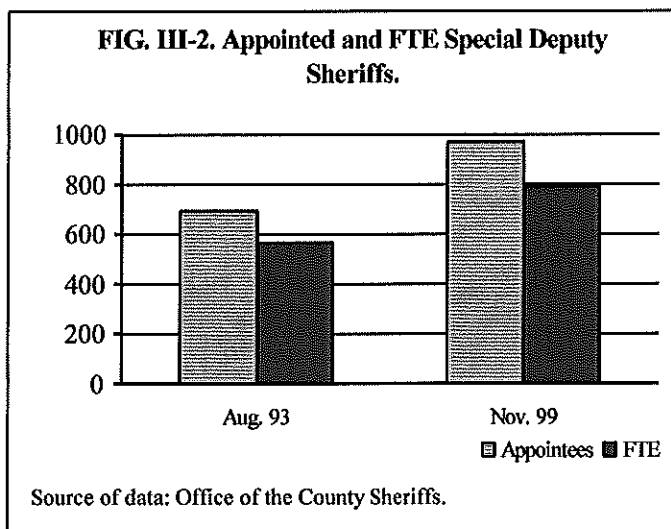
### Staffing and Expenditure Trends

Generally, less than 85 percent of those holding appointments as special deputy sheriffs are actually working on a given day. As shown in Figure III-2, the number of appointees and FTE workers have both increased 40 percent since 1993. As detailed in Chapter Two, the number of FTE staff working in November 1999 was 791, while the number of people holding appointments was 969. In 1993, the numbers were 565 and 692 respectively.

Since FY 93, the number of central office staff has grown from six to nine, with an additional four positions vacant. During this period, the cost of the central office staff increased 31 percent (from \$246,000 to \$568,000).

From FY 94 to FY 99, annual expenditures for the sheriffs system increased from \$17.6 million to \$24.6 million. The appropriation for the current fiscal year is \$27 million. This represents a 53 percent increase in six years.

**Employee benefits.** In 1996, special deputy sheriffs were given the right to participate in the state's group health plan, but at their own expense. In 1997, they were deemed eligible for group life insurance. Since July 1, 1999, special deputy sheriffs have been subject to the provisions of Chapters 66 through 68 of the statutes (i.e., the State Employees Retirement Act, the State Personnel Act, and Collective Bargaining for State Employees). As a consequence of the latter, they were eligible to petition the State Labor Board to form a bargaining unit.



In October 1999, the International Brotherhood of Police Officers was selected to represent the special deputies. Negotiation of a contract with the state is expected to begin in 2000. The Office of Labor Relations within OPM will represent the state. As a result, the pay plan and benefits package for special deputies are likely to change in the future.

### Other Changes

The scope of the court facilities served by sheriffs has expanded since the 1994 study. At that time, the sheriffs system provided staff to 51 court sites with 199 courtrooms in 26 towns. Today, sheriffs work at 52 locations with 253 courtrooms in 25 towns. Statewide, the number of trials has increased from 14,316 in FY 92 to 18,635 in FY 98.

The workload of the sheriffs in the prisoner transportation area has increased as a result of a change implemented by the high sheriffs. Special deputy sheriffs in seven counties regularly pick up prisoners from local police departments and a number of state police barracks, in addition to the prisoners picked up from correctional centers.

Policies on firearms are more restrictive today than in 1994. At that time, under certain circumstances firearms could be secured in locked areas at entrances to courthouses. In addition, high sheriffs in two counties allowed transport personnel to carry guns. In September 1999, the current high sheriffs adopted a statewide policy on the possession and storage of firearms. This policy, also adopted by the Sheriffs' Advisory Board in December 1999, prohibits all sheriffs from possessing or using a firearm while engaged in prisoner transportation or courthouse security functions. In addition, firearms cannot be stored at any courthouse or on any premises under the supervision of the Judicial Branch, including parking lots.

### Other Approaches

The roles and responsibilities of sheriffs in Connecticut differ from their counterparts in many other states because of the absence of county government here. In order to understand these differences, this chapter contains information about the operations of sheriffs' departments in other states. It also contains information about alternative mechanisms used to perform the functions currently provided by sheriffs in Connecticut.

#### Sheriffs' Departments

Sheriffs exist in every state except Alaska. In 47 states, sheriffs are elected. In Hawaii, the chief justice appoints the sheriffs, while in Rhode Island, the governor appoints sheriffs for each county. Sheriffs have criminal law enforcement responsibilities in most states.

The U.S. Department of Justice recently issued the results of its fourth survey of sheriffs departments throughout the country.<sup>5</sup> The results do not identify specific jurisdictions, but some of the data are grouped into categories such as staff size or population of the community served.

The preliminary data from the 1997 survey indicated the sheriffs' departments that responded to the survey employed approximately 263,000 workers full time. About two-thirds of these employees were sworn personnel. Nineteen percent of the latter were racial and ethnic minorities.

Nearly all of the sheriffs' departments surveyed had law enforcement responsibilities. Ninety-eight percent performed routine patrol services, 91 percent investigated crimes, 85 percent had drug enforcement responsibilities, and 84 percent enforced traffic laws.

Nearly all of the departments also performed some court-related functions. Overall, 98 percent served civil process, and 95 percent performed court security duties. Eighty percent of the sheriffs' departments operated a jail.

In 1997, 11 percent of the sheriffs' departments required applicants to have completed at least some college course work, while 1 percent required a four-year degree and 7 percent a two-year degree. Other screening procedures used by more than 90 percent of the departments were criminal record checks,

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<sup>5</sup> Surveys were conducted in 1987, 1990, 1993, and 1997. The results from the most recent survey are summarized in U.S. Department of Justice, Bureau of Justice Statistics, *Executive Summary: Sheriffs' Departments 1997*, (NCJ-1179011) October 1999. The full report is due out in early 2000.

background investigations, and medical exams. Three-quarters also required psychological exams, and 59 percent used physical agility tests. The classroom and field work requirement for new deputies averaged 900 hours combined. Three-quarters of the departments also had in-service training requirements, with an annual median of 20 hours.

Starting salaries ranged from \$19,400 to \$30,200; the national average was \$26,000. Nearly half of the departments authorized collective bargaining.

In the full report on the 1993 survey, only 10 percent of the full-time officers working for sheriffs' departments with 100 or more sworn personnel had courtroom functions. Only 6 percent of the departments operated lock-up facilities with limited holding times.

In December 1996, the Connecticut Office of Legislative Research prepared a report describing some of the characteristics of the operations of the sheriffs' departments in the other five New England states. Table IV-1 summarizes that information.

<b>TABLE IV-1. Overview of Sheriffs in the Other New England States.</b>			
<i>State</i>	<i>Terms of Office</i>	<i>Functions</i>	<i>Appointments</i>
Maine	constitutional office; 16 counties; elected every 4 years	serve civil process; work as road dispatchers and jail guards; provide law enforcement in areas without local police	may appoint chief deputy to act in absence of sheriff; other deputies and staff hired as county employees
Mass.	statutory office; 14 counties; elected every 6 years	perform civil duties (mostly transportation of prisoners and attendance at court sessions); do not handle criminal work or investigations	must appoint special sheriff to act in absence of sheriff; may appoint/hire county funded deputies to perform functions
New Hampshire	constitutional office; 10 counties; elected every 2 years	serve criminal and civil process and execute writs; investigate crimes; perform court bailiff duties	may appoint as many deputies as think proper, but may be limited by county's financial appropriation; may appoint special deputies for process-related work
Rhode Island	gubernatorial appointment; 5 counties; every 10 years	execute/serve writs; may investigate crime in the county; must attend General Assembly and superior courts (may attend supreme court)	may appoint as many deputies as budget allows and as are necessary to run department
Vermont	constitutional office; 14 counties; 4- year term	preserve the peace and suppress disorder; transport prisoners and mental patients; execute/serve process	may appoint as many deputies and supporting staff as necessary (but deputies must be approved by governor); may appoint special deputies with approval of atty. general
Source: Office of Legislative Research, Memo 96-R-1443, December 24, 1996.			

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In comparing the activities of sheriffs in other states with those in Connecticut, it is important to note a key difference. Most sheriffs departments are operated by county governments. Although the Connecticut sheriffs system is still set up along county lines, the county government structure was abolished in 1960. Even before that, the system differed from the ones in other states. In a history of the Connecticut county system, Rosaline Levenson noted:

... when the first counties were established [in Connecticut], the areas to be serviced had already been divided into towns. This was in contrast to states elsewhere in the nation, where counties were originally formed to serve unincorporated areas far from centers of population and a distance from state capitals.

In other words, the Connecticut towns, regardless of size or population, from colonial times on were performing functions which generally are handled by counties elsewhere in the nation.<sup>6</sup>

### **United States Marshals**

Court security in the federal judicial system is the responsibility of the United States Marshals Service. Deputy marshals transport prisoners, provide courtroom security, and oversee security inside federal courthouses. They also handle fugitive investigations, protect federal witnesses, and oversee asset seizures.

In order to qualify as a deputy U.S. marshal, a person must:

- be a U.S. citizen between 21 and 37 years of age;
- be in excellent physical condition;
- have a bachelor's degree or three years of responsible experience;
- pass a written test and complete an oral interview; and
- permit a background investigation.

Individuals selected for the service must complete a 16-week basic training program, followed by specialized training. These positions are federal civil service jobs.

The marshals service also uses private firms and contracted individuals to provide additional security personnel for federal buildings and courthouses. Deputy marshals perform service of process for federal cases, but mail service may also be used.

### **Others Transporting Prisoners**

As mentioned above, most sheriffs departments operate jails, and they are responsible for bringing individuals held there to court. They also may bring inmates from state facilities to court.

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<sup>6</sup> Rosaline Levenson, County Government in Connecticut - Its History and Demise, Institute of Public Service, University of Connecticut, January 1966, p. 72.



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However, the agencies that run state correctional institutions also transport at least some of their inmates to court.

In 1996, *The National Journal for Corrections* published the results of a survey on the transportation of prisoners to a variety of destinations. Nearly three-quarters of the 40 U.S. systems responding to the survey indicated they transport inmates to court. Ten respondents brought fewer than 100 inmates a year to court, 13 brought between 100 and 500 inmates, and five brought between 800 and 3,000 inmates. Maryland brought 24,500 inmates to court. (Connecticut did not respond to the survey.)<sup>7</sup>

### **Others Performing Service of Process**

All states allow someone other than a sheriff to serve process in at least some situations. In Connecticut, the parties statutorily authorized to deliver specific documents or collect funds include constables, borough bailiffs, local and state police officers, employees of the state collection agency, investigators employed by Department of Social Services or Department of Administrative Services, and support services investigators of the Superior Court.

In many states, any person of legal age who is not a party to a specific case can serve civil papers. However, there may be restrictions on receipt of a fee for this activity or on the volume of activity performed within a one-year period. (For example, California requires anyone who serves 10 or more services of process in one year for compensation to register with a county clerk.)

A few states have established formal programs for individuals wishing to serve process for a fee. Nevada and Oklahoma both issue "licenses," but the system in the latter state is closer to registration. Arizona, California, and Washington all have registration programs, where individuals wishing to serve process must meet certain criteria and register with the county court. New York City also requires process servers to be licensed, but exempts attorneys admitted to practice in the state. Table IV-2 summarizes information about the programs in those six localities.

In most of the rest of the country, judges and courts can designate individuals to serve process. This can be done for a particular case, or a person may be granted the right to serve papers for a particular period of time. Appendix D summarizes who is eligible to serve process in each of the 50 states and the District of Columbia.

In addition to personal service of process, two other methods may be used to execute some types of service of process. They are the U.S. mail and publication in a newspaper. Depending on the state, notices and other documents may be sent via first class, certified, or registered mail. Return receipt with delivery restricted to the addressee may be required.

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<sup>7</sup> The National Journal for Corrections, "Doing Time in the 1990s: Places to Go, People to See," *Corrections Compendium*, March 1996.

**TABLE IV-2. Localities With Registration or Licensure Programs for Process Servers.**

<i>Locality</i>	<i>Authority</i>	<i>Program</i>	<i>Entities Involved</i>	<i>Fees</i>	<i>Requirements</i>
Ariz.	Ariz. Rules of Civil Procedure of Supreme Court, Rule 4(e)	Registration as <i>private process server</i> 3-year term	Supreme Court sets rules and county court administers; apply to clerk and get approval from presiding judge	approx. \$180	Resident of state for 1 year; background check (including fingerprints); pass written exam; agree to faithfully serve process  [fee waived for sheriffs]
Calif.	Business and Professions Code, Sections 22350-22360	Registration as <i>process server</i>  [if serve 10+ process in one year for money] 2-year term	Clerk of county of one's residence or principal place of business	\$100 fee + actual cost of fingerprint check and ID  must post \$2,000 bond +\$7 filing fee	Resident of state for 1 year; not been convicted of a felony; submit to fingerprint check; agree to faithfully serve process  [exempt private investigators and their employees, others appointed by court, and attorneys and their employees]
Nev.	Nevada Revised Statutes, Chapter 648	Licensure as <i>process server</i> 1-year term	Five-member Private Investigator's Licensing Board (in the Office of the Attorney General)	\$50 for application + cost of background investigation (\$750 deposit required) + \$100 for exam  annual fee: \$360	U.S. citizen or lawful resident, 21+, good moral character; not been convicted of felony, crime of moral turpitude, or possession of dangerous weapon; 2 years experience as process server (or equivalent); pass written exam; attend oral hearing  Maintain liability insurance (or self-insure) for \$200,000
New York City	NA	Licensure as <i>process server</i> -- two types: <i>organization</i> and <i>individual</i>  [if serve 5+ process in one year] 2-year max.; all licenses expire in even years	New York City Department of Consumer Affairs (Licensing Center)	\$50 fee for fingerprint check upon application + pro rated initial license fee (depends on date of approval)  biennial fee: \$340	Citizen or authorized to work in U.S.; photo ID; submit fingerprints for background check (conviction not automatic denial, but failure to reveal is grounds for denial); completed application, questionnaire, and notarized Child Support Certification Form  Maintain bound registry ledger  [exempt NY attorneys]

**TABLE IV-2. Localities With Registration or Licensure Programs for Process Servers.**

<i>Locality</i>	<i>Authority</i>	<i>Program</i>	<i>Entities Involved</i>	<i>Fees</i>	<i>Requirements</i>
Okla.	Okla. statutes Sec. 12-158.1	Licensure as <b><i>private process server</i></b> (for civil cases)  1-year term initially; single county renewal one year, but statewide three years	Administrative Office of the Court prescribes application form; presiding judge of judicial administrative district or other county judge issues license; court clerks handle renewals	Initially: \$35 for one county OR \$150 statewide + prescribed fees  Renewal: \$5 one county + \$10 each added county OR \$15 statewide	18+; good moral character; and ethically and mentally fit  Must appear qualified and cannot have any protests pending -- clerk gives five days notice of a hearing by posting notice in courthouse and mailing copy to district attorney, sheriff, and chief of police or marshal in the county seat  Maintain \$5,000 bond
Wash.	Revised Code of Wash., 18.180.010 - 18.180.030	Registration as <b><i>process server</i></b>  1-year term	Auditor of county of residence or principal place of business	Variable, but most in \$10 - \$20 range	Must comply with general state requirements for businesses (e.g., registration of company name and payment of taxes)  [exempt sheriffs, deputy sheriffs, marshals, constables, govt. employees acting in course of their business, attorneys and their employees if not serving process on fee basis, people appointed by court, employees of registrants, and people not receiving fee]
Sources of data: Statutes, rules of practice, court rules, and web sites of individual states as well as telephone conversations with staff in administering agencies in Arizona and Nevada.					

### Options

The primary responsibilities of sheriffs in Connecticut are transporting prisoners, providing security at courthouses, and serving legal papers. The sheriffs system is organized geographically according to the lines of the state's eight counties.

The answer to the question of which structure is the best one for delivering the services currently provided by sheriffs encompasses a variety of factors. Depending on the importance one attributes to specific elements, different alternatives will seem more appropriate.

This chapter describes approaches that could be used in the future to carry out the functions of the sheriffs. Included as an option is continuation of the current system with modifications. The goal of all of the proposals is greater professionalism and clearer organizational control. In the end, the options represent philosophical differences, not right or wrong choices.

#### Recent proposals

Several different plans for restructuring the sheriffs system were proposed by the governor and by legislators during 1999. The plans varied in scope and content, but each called for amending the state constitution to eliminate the office of high sheriff.<sup>8</sup>

Under two of the plans, courthouse security and service of process would be placed under the Judicial Branch. Prisoner transportation would become the responsibility of the Department of Correction.

Another proposal would transfer existing special deputy sheriffs to the Judicial Department and make them state employees. The chief court administrator would fill vacancies as they occurred. New hires would be subject to criminal background checks, and no convicted felon could be hired.

Existing deputy sheriffs would be sworn in as "Judicial Enforcement Officers." They would function as private contractors with exclusive authority to provide fee-for-service legal execution and service of process. They would

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<sup>8</sup> Such a change must be approved by at least a majority of both the House and the Senate. If approved by less than three-quarters of each chamber, the matter must be taken up again by the assembly chosen in the next general election. If approved by three-quarters of the original session or by a majority of the second session, the measure would be placed on the ballot in every town in the next general election. A majority of those voting on the amendment would have to support it in order for it to be approved.

be subject to background checks, could not have been convicted of a felony, and would have to re-register every two years.

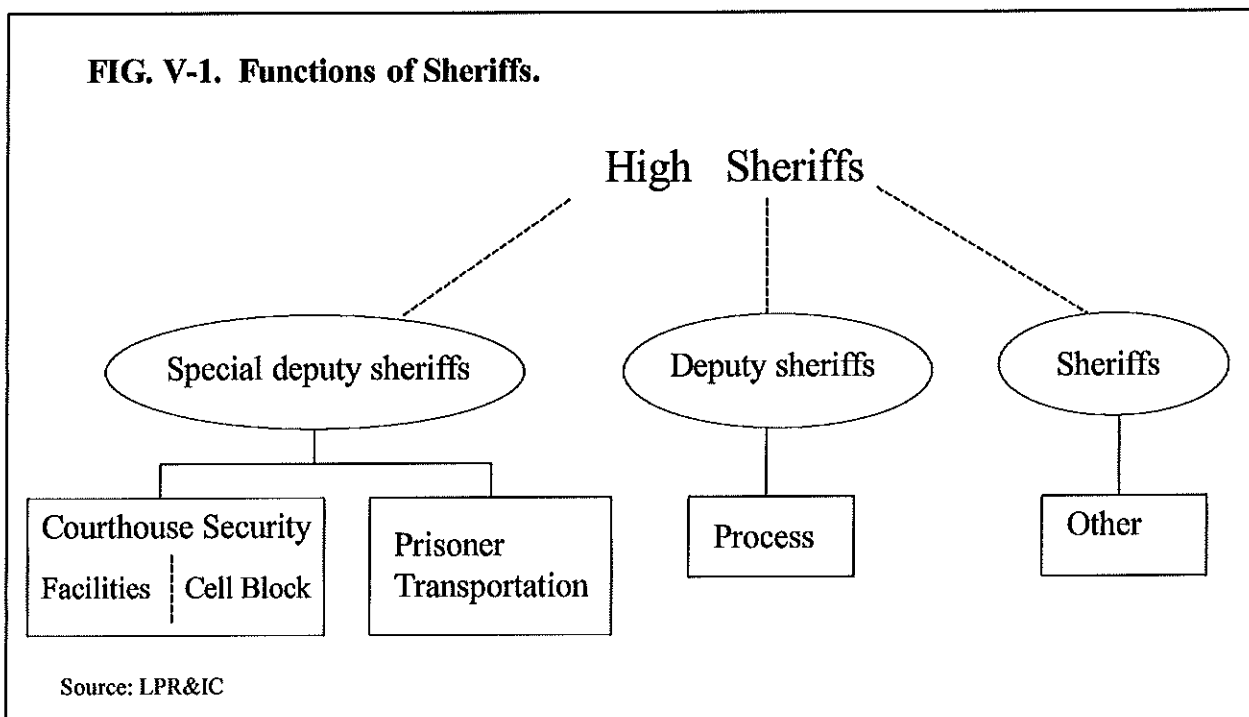
Under this plan, during the transition until the constitution was changed, two of the current high sheriffs -- one from each party -- would be designated nonpartisan, unclassified assistants to the chief court administrator. They would be responsible for general management of all of the functions being transferred to the Judicial Department.

## Scenarios

The functions performed by sheriffs in Connecticut can be grouped into five categories -- general security of court buildings, custody of prisoners in courthouse lock-ups (cell blocks), transportation of prisoners to and from courthouses, service of process, and a mix of tasks that primarily involve assisting others with their responsibilities. In examining options for these services in the future, it is useful to consider the alternatives from several levels.

The first question is whether one entity should continue to provide all of the services, or whether it would be better to split up the functions among different agencies? If the latter, which functions need to stay together? Additionally, which agencies would best be able to carry out the required functions?

As shown in Figure V-1, the current sheriffs system involves functions performed by special deputy sheriffs, deputy sheriffs, and sheriffs in general. Special deputies perform three of the functions -- court security, court lock-ups, and prisoner transportation. The elected, high sheriffs and deputy sheriffs perform service of process; both generally also are authorized to perform the various assistance tasks.



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The court security function relates to court facilities. It includes the operation of metal detectors and the maintenance of safety within courtrooms and parking areas. The first consideration is whether responsibility for it should be removed from the statutory control of the sheriffs. If so, then where? The most realistic agencies would be the Judicial Department, the Department of Correction, or the Department of Public Safety.

Assignment of the function to a single authority, rather than being overseen by eight different administrators, would permit a more even distribution of work and establishment of consistent operational policies statewide. **The program review committee recommends the Judicial Department be designated the entity responsible for the general courthouse security function.**

The Judicial Department already oversees all other aspects of courthouse operations, including, most importantly, setting the level of activity within each facility. Giving the department responsibility for court security will mean it has both the goal and the authority to ensure the safety of those working at and visiting the courts. This choice would also alleviate current conflicts with departmental efforts to ensure all who have contact with the courts are provided with a customer-oriented place to transact business

The next question concerns whether the lock-up function (i.e., oversight of the cell block area and the prisoners held there) should be grouped with the general court security function or prisoner transportation. The decision is probably best answered by looking at the current system. Special deputies who work as transit staff are most likely to work in the cell block area when they are not on the road. These workers are familiar with the prisoners they bring to the courthouse, and there is a custodial role in both functions. **The program review committee recommends the cell-block function be grouped with the prisoner transportation function, regardless of the agency selected to perform prisoner transportation.**

The next question is whether to keep all of the court-related functions currently performed by sheriffs together or whether to assign prisoner transportation elsewhere. Based on the earlier recommendation, keeping the functions together would mean placing prisoner transportation within the Judicial Department. The primary rationale for maintaining all operations in one agency is to facilitate establishment of uniform qualifications and operating procedures. It also would provide flexibility for moving personnel across functional areas and physical locations when workloads fluctuate among courthouses.

The principal advantage of separating the security and transportation functions is to optimize the use of personnel with specialized training and skills within the functions they are most familiar with. If the Department of Correction were selected to handle transportation, the potential also exists for cost savings from a more efficient deployment of personnel as they merge this added duty to their existing transportation function. In addition, conditions for prisoners could be improved. (Currently, some prisoners must rise as early as 3:00 a.m. in order to reach court for a mid-morning appearance, and they may not return to their over-night destination until late evening, only to repeat the schedule the next day if an additional court appearance is required.)

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There are good arguments for both consolidation and for separation. In the end, the selection of one agency over another is a philosophical decision, guided by the weight each person gives to the elements for and against the options. **The program review committee recommends the Department of Correction take over responsibility for the transportation of prisoners to court (and their custody within the court lock-ups).**

The next area to examine is service of process. Key considerations are whether to subdivide categories of the work and who should be authorized to perform it. The latter could be deputy sheriffs, employees of the state, individuals who are appointed by or register with a state agency, or a combination of these categories. Important factors to consider are the professionalism of the servers, the convenience afforded users, and the costs of each option.

The nature of the activities involved in process serving -- locating people and places within set times -- require flexibility. If employees of the state were used to serve process, the state would receive the fees collected by them and would save approximately \$1 million a year state agencies spend for service of process work. However, the administering agency would have to ensure these employees have access to timely clerical services and automobiles as well as a flexible work schedule that includes evening and weekend hours.

If deputy sheriffs or registered individuals handle service of process, at most the state would need only a small regulatory unit to assess qualifications, verify compliance with training requirements, and maintain a roster of authorized process servers. The marketplace will economically reward those who perform well and avoid those who perform poorly.

**The program review committee recommends Connecticut offer a registration option that, at a minimum, would allow qualified individuals to serve original summonses and complaints as well as post-judgment documents on a statewide basis.** These tasks are handled by a number of different parties nationally and in some instances even within Connecticut. Technological advances in electronic communications in the 21st century will increase the demand for flexibility, and competitive service will become increasingly important.

**The program review committee recommends state oversight of process servers be given to the Judicial Department.** It is anticipated a system would be established within the department to authorize individuals who meet specific criteria to serve process statewide. Giving this responsibility to the Judicial Department complements their other duties with respect to the creation and disposition of the legal work service of process relates to. It also is in line with the role county courts in many other states play, where judges appoint individuals to serve process.

In terms of the "other" enforcement and assistance sheriffs are statutorily authorized to provide, some duties could remain the responsibility of the high sheriffs as long as they are constitutional officers. However, in most cases, the functions are rarely if ever performed by sheriffs. Indeed, many of the statutes allow other methods of carrying out the function or the other party involved in the activity could be given sole responsibility for the task (e.g., distributing notices from the secretary of the state to legislators regarding a special session, removing cancelled registration plates from motor vehicles in parking areas, or assisting animal and agriculture authorities with eradication of bovine tuberculosis). **The program review**

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**committee recommends statutes authorizing sheriffs to assist other parties with specific duties be revised to eliminate the references to sheriffs.**

### **Comparison of Alternatives**

Tables V-1A through V-1D summarize the advantages and disadvantages of the most feasible approaches for obtaining the services currently provided by sheriffs. Also included for each alternative is the estimated cost. In some cases, other considerations that might affect implementation of the option are also described.

Appendix E contains the detailed calculations used to determine the full-time equivalent staffing and cost estimates. All of the tables are based on the following assumptions:

- there are 52 court locations and 253 courtrooms to secure;
- there are 248 court days per year;
- the number of personnel needed for general court security will be the same regardless of the agency responsible for the function, but due to current differences in the benefits packages related to paid time off, the FTE for the sheriffs is lower;
- the number of FTE personnel needed for prisoner transportation will vary depending on the agency responsible for the function; and
- 24-hour lock-up facilities are operated in Hartford and New Haven.

The administrative staff required for each function will be affected by whether the function is to be operated separately from the other functions. Although some efficiencies in accounting and payroll staff may be feasible, new positions may be needed to coordinate activities transferred to a new agency. Savings from existing General Fund positions are likely to be small as the personnel currently in the jobs may obtain positions with other state agencies, or if laid off, would be eligible for unemployment.

An important factor to consider in making changes to the sheriffs system is the collective bargaining contract due to be negotiated with the special deputy sheriffs in 2000. Regardless of who operates the system, the salary and benefits package for special deputies are likely to increase. However, depending on the effective date and the nature of the changes to the system, the party responsible for negotiations might have to be changed or the timing of modifications to the system might have to be delayed.

For example, if special deputies were transferred to the Judicial Branch before the contract is settled, responsibility for negotiations would also transfer because the Office of Labor Relations only handles that function for the executive branch. If the time frame for changes occurs after an agreement is reached through negotiations or arbitration, then provisions of the contract might restrict some actions of the agency receiving the workers. **The program review committee recommends if changes are to be made in the administration of the courthouse security and prisoner transportation functions, the changes should become effective as early in fiscal year 2001 as possible.**



**TABLE V-1A. COURTHOUSE SECURITY FUNCTION.**

Agency	<i>Sheriffs</i>	<i>Judicial Branch</i>	<i>Dept. of Correction</i>	<i>Dept. of Public Safety</i>
FTE Staff	480	508	508	508
Estimated Cost per diems + benefits	\$13.8M + \$4.2M (\$15.3M + \$6.3M with full benefits)	\$19.4M + \$8M	\$18.8M + \$7.5M	\$19.4M + \$7.7M
Advantages	<p>Least costly alternative in short-term (primarily due to reduced benefits)</p> <p>Retains unified work force within single entity</p> <p>Fewer layers of bureaucracy</p>	<p>Puts responsibility for security in agency that controls courthouses and level of daily activity within</p> <p>Reduces philosophical conflicts between judicial and another agency about how to deal with the public</p> <p>If combined with transport, retains unified work force, provides flexibility to move staff across tasks, and puts authority for all court-related functions in single agency</p>	<p>If combined with prisoner transport, retains unified work force within single agency, provides flexibility to move staff across tasks, and would facilitate issues related to prisoner custody</p>	<p>Is in keeping with agency's mission of public safety</p> <p>If combined with prisoner transport, retains unified work force within single agency and provides flexibility to move staff across tasks</p>
Disadvantages	<p>Eight independently elected individuals operate single system -- unclear lines of authority</p> <p>Among regions, policies not always consistent and workloads unequal</p> <p>Continues possibility of conflicts between operational philosophies of judicial and sheriffs</p> <p>County lines do not match judicial regions</p>	<p>More costly based on estimated salary range</p> <p>If not also given prisoner transport, continues mixed lines of authority over courthouses</p> <p>Different union represents special deputies and majority of this agency's work force</p>	<p>Gives agency broader responsibilities than it currently has -- requires it to deal with wider range of people than just those incarcerated</p> <p>Continues possibility of conflicts between operational philosophies of judicial and agency handling security</p> <p>Different union represents special deputies and majority of this agency's work force</p>	<p>Adds new agency to system</p> <p>Agency's primary mission of police services may confuse public about court-related role</p> <p>More costly based on estimated salary range</p> <p>Continues possibility of conflicts between operational philosophies of judicial and agency handling security</p> <p>If not also given transport, continues mixed lines of authority over courthouses</p> <p>Different union represents special deputies and majority of this agency's work force</p>

**TABLE V-1B. PRISONER TRANSPORTATION FUNCTION.**

<b>Agency</b>	<i>Sheriffs</i>	<i>Judicial Branch</i>	<i>Dept. of Correction</i>	<i>Dept. of Public Safety</i>
<b>FTE Staff</b>	110	116	81	116
<b>Estimated Cost per diems + benefits</b>	\$3.6M + \$1.1M (\$4M + \$1.6M with full benefits)	\$4.4M + \$1.8M	\$3M + \$1.2M	\$4.4M + \$1.8M
<b>Advantages</b>	Retains unified work force in single agency Fewer layers of bureaucracy	If combined with courthouse security, would put all authority for courthouses in single agency, eliminate possibility of conflicts regarding operational philosophies of Judicial Branch and another agency, and improve control of prisoner movement within courthouses	Least costly alternative (due to projected staffing efficiencies) Provides for more continuous custody of prisoners Potential for reduced number of total staff and vehicles If combined with courthouse security, retains unified work force in single agency	If combined with courthouse security, retains unified work force in single agency
<b>Disadvantages</b>	Continues the potential for jurisdictional issues with DOC over custody of prisoners Continues possibility of conflicts between operational philosophies of judicial and agency handling security Unclear lines of authority Among regions, policies not always consistent and workloads unequal County lines do not match judicial regions	Continues the potential for jurisdictional issues with DOC over custody of prisoners	Continues possibility of conflicts between operational philosophies of judicial and agency handling security If not also given courthouse security, continues mixed lines of authority over courthouses	Continues the potential for jurisdictional issues with DOC over custody of prisoners Continues possibility of conflicts between operational philosophies of judicial and agency handling security If not also given courthouse security, perpetuates mixed lines of authority over courthouses Adds new agency to system
<b>Other Considerations</b>	Local police departments may have to resume transporting their own prisoners to court, thus increasing their costs			
	Increased use of video technology in the future will reduce the need to transport as many incarcerated individuals to courthouses			

<b>TABLE V-1C. CELL BLOCK (LOCK-UP) FUNCTION</b> <b>(assumes combined with prisoner transportation function).</b>				
Agency	<i>Sheriffs</i>	<i>Judicial Branch</i>	<i>Dept. of Correction</i>	<i>Dept. of Public Safety</i>
FTE Staff	210 + 18 (for 24-hr lock-up)	222 + 19 (for 24-hr lock-up)	156 + 18 (for 24-hr lock-up)	222 + 19 (for 24-hr lock-up)
Estimated Cost per diems + benefits	\$6.9M + \$2.1M (\$7.6M + \$3.2M with full benefits)	\$9.1M + \$3.8M	\$6.3M + \$2.5M	\$9.1M + \$3.6M
Advantages	See prisoner transportation	See prisoner transportation	Provides more continuous custody of prisoners  Facilitates availability of prisoners for court appearances, reduces their physical discomfort, and increases their accessibility to legal counsel  Provides agency with additional beds, if capacity reached in main facilities	See prisoner transportation
Disadvantages	See prisoner transportation	See prisoner transportation	Would likely increase the number of communities where prisoners are held over night in court facilities	See prisoner transportation

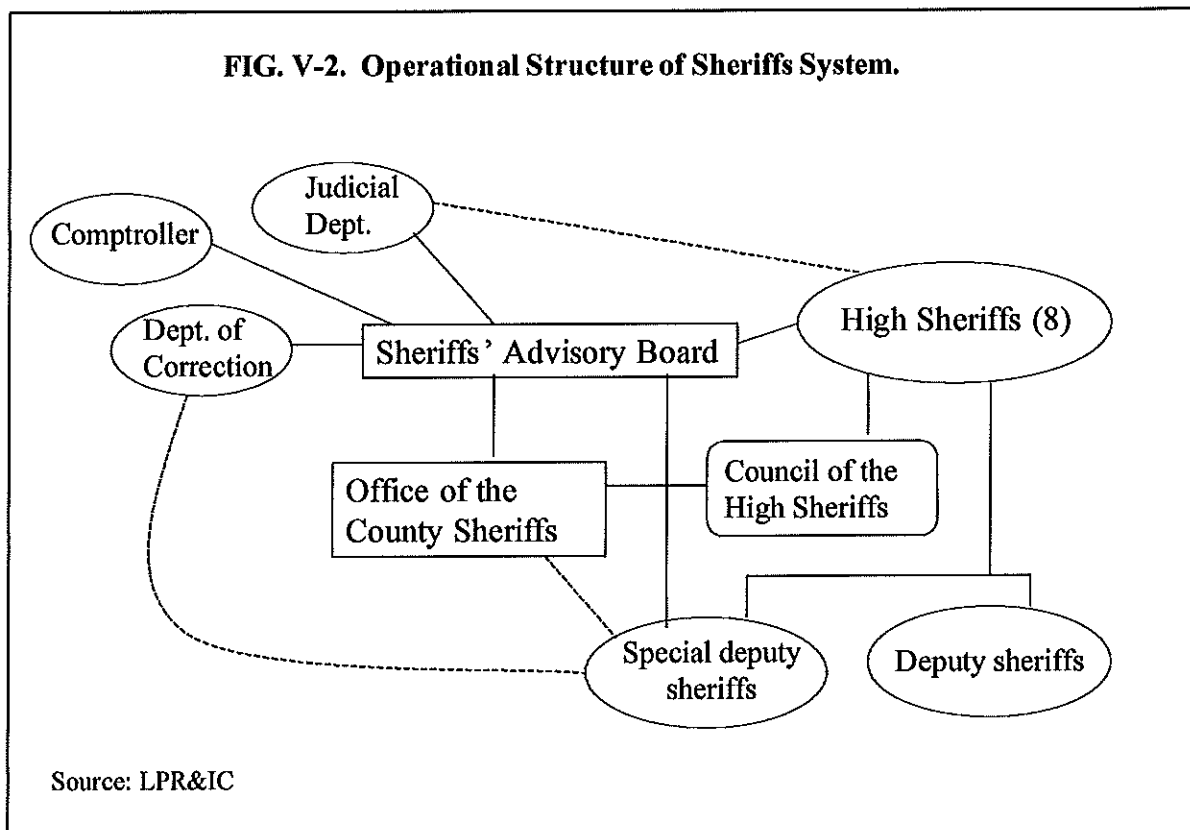
**TABLE V-1D. SERVICE OF PROCESS FUNCTION.**

Agency	<i>Sheriffs</i>	<i>State Employees</i>	<i>Appointed by Judicial Branch</i>	<i>Register with State (e.g., Judicial)</i>
FTE Staff	245 self-employed; supervised part- time by salaried high sheriffs	117 to perform service + 11 clerical + 1 secretary + 1 administrator	1 administrator + 1 secretary	1 administrator + 1 secretary
Estimated Cost per diems + benefits	Contained in system costs (if ¼ of high sheriffs time = ~\$100,000)	\$6.5M but offset by potential revenue (~\$10M in CY 98)	~\$175,000	~\$175,000
Advantages	Few complaints generated by current system Low staff cost to the State Provides incentive to process server -- only paid if work completed No bureaucracy	All revenue collected would accrue to the State and current fee payments would end Allows consistent practices statewide Allows workers to serve documents statewide	Provides incentive to process server -- only paid if work completed Allows workers to serve documents statewide	Provides free market competition Provides incentive to process server -- only paid if work completed Allows workers to serve documents statewide
Disadvantages	Limited to those holding appointments Restricts who can work in specific region Policies (e.g., experience requirements and training) not consistent among regions Workloads not equal among regions Costs state ~\$1M/ year for service fees	Adds jobs to state payroll Duties require flexible work schedule -- could result in extensive evening and weekend work (with overtime costs) Salaried position may be disincentive to complete difficult services	Limited to those holding appointments Would still cost state ~\$1M/year for service fees	Additional cost to the state without offsetting revenue Would still cost state ~\$1M/year for service fees
Other Considerations			Common appointive body in other states	Method used in 5 other states and NYC
	Increased acceptance of electronic signatures and electronic filings should reduce workload in the future			

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## Modifications to Sheriffs System

Currently, a large number of entities are involved in the operation of the sheriffs system. As shown in Figure V-2, an advisory board, constitutional officials, and informal organizations all have roles in the system. Multiple entities exert authority over several of the participants in the process, in particular the staff in the Office of the County Sheriffs and the appointed sheriffs (i.e., special deputy sheriffs and deputy sheriffs). This type of structure produces unclear lines of authority and can result in conflicting or nonexistent policies.



As shown in Table V-2, under the current system, responsibility for specific tasks is often shared. In practice, the informal Council of the High Sheriffs makes more decisions than the statutorily created Sheriffs' Advisory Board, even in areas that would seem to be within the jurisdiction of the board. For example, the council is discussing whether a change should be made in the policy regarding the appointment of individuals with felony convictions. No discussions have been held with the board nor are any planned. Similarly, discussions about changing the recruitment process for special deputy sheriffs have only occurred at council meetings. Yet, the board is the entity statutorily responsible for establishing qualifications for courthouse security personnel.

Although the council is composed of the eight elected high sheriffs, its role in the system is troubling. It has no statutorily designated authority as a group, nor do the individual high

sheriffs have the power singularly or collectively to impose policies on one another. In addition, none of the other entities concerned with the operation of the state's court system have representation on or input into the work of the council. Furthermore, its work adds considerably to the workload of the staff in the Office of the County Sheriffs.

<b>TABLE V-2. Major Functions Of Sheriffs System.</b>	
<i>Function</i>	<i>Who Has Responsibility</i>
Serve legal process	High Sheriffs and deputy sheriffs
Transport prisoners	High Sheriffs through special deputy sheriffs
Custody of prisoners at courthouses	High Sheriffs through special deputy sheriffs
Attendance at court	High Sheriffs through special deputy sheriffs
Receive and allocate appropriations	Sheriffs' Advisory Board through Office of the County Sheriffs
Establish qualifications for deputy sheriffs	High Sheriffs (and statutory provisions)
Establish minimum qualifications and develop standardized test for courthouse security personnel	Sheriffs' Advisory Board (by statute); Council of the High Sheriffs (in practice)
Establish and administer training program for deputy sheriffs and special deputy sheriffs	Sheriffs' Advisory Board through Office of the County Sheriffs and High Sheriffs
Establish operating procedures and direct prisoner transportation and courthouse security system	Sheriffs' Advisory Board (by statute); Council of the High Sheriffs (in practice)
Perform administrative functions (e.g., payroll)	Office of the County Sheriffs

*If the sheriffs continue to perform the duties they are currently responsible for, the program review committee believes it is essential changes be made in the current organizational structure. Specifically, the program review committee recommends:*

- the role of the Sheriffs' Advisory Board should be revised to reflect its name (i.e., provide advice), or it should be eliminated;
- authority over all aspects of the special deputy sheriffs and the Office of the County Sheriffs should be given to a statutorily established executive branch entity called the Sheriffs Department;
- the newly created Sheriffs Department should have a permanent central administrative staff and a specific number of special deputy sheriffs per region; and
- the Sheriffs Department should be run by a statutory Council of Sheriffs, composed of the eight high sheriffs, and actions of the council would require an affirmative vote by a majority of the total membership, not just those present. (Designees would not be authorized to vote.)

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## Qualifications

Regarding the selection of individuals for appointment as deputy or special deputy sheriffs, as discussed in Chapter Three, changes have been made to the system in the past few years. Qualifications and physical fitness standards for special deputies are now consistent statewide. However, the requirements are general in nature, and the training for new appointees is less rigorous than that given for other related state jobs. As shown in Table V-3, the amount of classroom training is far below that of law enforcement officers, and it is one-third less than that received by correctional officers.

TABLE V-3. Comparison Of Training Hours.			
<i>Program</i>	<i>Position</i>	<i>Classroom Hours</i>	<i>On-the-Job</i>
Sheriffs Recruit Academy	Special deputy sheriffs	137.5	15+ days
Department of Correction	Correctional officers	210	15 days
Connecticut Police Academy	State protective services employees and local police officers	646	80 hours
State Police Training Academy	State police troopers	1,312	6-10 weeks
Sources of data: Descriptive materials from each program.			

Requirements for deputy sheriffs continue to vary, depending on the particular high sheriff making the appointment. Although all recent appointees attended a two-week centralized training program, on-the-job training differs considerably. Most new appointees are assigned to ride with another experienced deputy sheriff; however, the length of this requirement ranges from one week to 30 days or more. Similarly, subsequent work under the supervision of another deputy can last from eight days to six months.

*Whether the sheriffs or another agency is responsible for these workers, the program review committee believes more detailed qualifications and training should be required of those performing courthouse security and prisoner transportation functions.*

**The program review committee recommends minimum standards for court security and prisoner transportation workers should be:**

- 21 years of age;
- U.S. citizen or lawful resident of the country;
- high school graduate (or its equivalent);
- possess and retain a Connecticut motor vehicle operator's license;
- have no felony convictions; and
- be a resident of the state by the time training is completed.

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**Applicants who achieve a score of at least 70 on a written exam that parallels the scope of the test given by DAS for correctional officers will be placed on a ranked list. New hires must be selected from the list based on the rankings from the exam. Prior to being admitted for training, those on the list must pass a medical exam that includes a drug screening and a physical fitness test. They also must undergo a thorough background check, including a criminal history and fingerprint check, an employment history, and a character reference check.**

**The training program for courthouse security and prisoner transport workers shall include at least 200 hours of classroom work and 120 hours of on-the job training. Individuals chosen to attend training will be given a conditional appointment, dependent upon successful completion of both components of training.**

The cost of the increased training requirement will vary depending on the entity providing the training. For example, if the sheriffs are still operating the system, the training cost is estimated to increase about \$1,400 per new employee.<sup>9</sup>

*Regardless of the entity overseeing the service of process function, the program review committee believes the standards for process servers also should be uniform statewide. The program review committee recommends the minimum criteria for those who serve process shall be:*

- 21 years of age;
- U.S. citizen or lawful resident of the country;
- high school graduate (or its equivalent);
- possess and retain a Connecticut motor vehicle operator's license;
- have no felony convictions; and
- resident of Connecticut.

**In addition, the person must post a \$10,000 bond and maintain \$300,000 in liability insurance.**

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<sup>9</sup> This estimate assumes a 50 percent increase in the length of the existing program, based on the current 137.5 classroom hours versus the recommended minimum of 200 hours. The current cost per recruit for salaries and equipment is \$2,675.





## **APPENDIX A**

### **HISTORY OF SHERIFFS IN CONNECTICUT**

1



## APPENDIX A

### History of Sheriffs in Connecticut

Sheriffs date back to the 1600s in Connecticut. The Code of 1650 of the General Court of Connecticut allowed "the marshall" to collect fees for the service of executions and attachments and fines for breaches of law. In 1698, marshals became "sheriffs."

In 1722, sheriffs were given the duty of conserving the peace and could command people to help them. Two years later, each sheriff became responsible for the jail in his county, with the right to appoint people as "keepers." In 1766, limits were placed on the number of deputies a high sheriff could appoint, although on special occasions other people could be used as well.

Until the early 1800s, sheriffs were appointed, jointly or solely by the governor and the General Assembly, depending on the year. A constitutional amendment adopted in October 1838 established elections as the process for selecting high sheriffs.

The current role of the high sheriff has evolved from the abolition of county government in 1960. The state took over jurisdiction of the jails, but sheriffs continued to operate the facilities under the direction of the state jail administrator. In 1967, legislation changed the jails into community correctional centers under the Department of Correction. The sheriffs no longer had around-the-clock responsibility for prisoners.<sup>1</sup>

In 1980, a three-member Sheriffs' Advisory Board was established with responsibility for administering a prisoner transportation and courthouse security system. The board was not given any jurisdiction over deputy sheriffs who serve process, and the eight county high sheriffs continued as independently elected officials.

The same legislation created "court security officers" to operate the prisoner transportation and courthouse security system under the jurisdiction of the advisory board. The high sheriffs were to appoint these workers from lists of people certified as qualified for the position by the Department of Administrative Services (DAS). Appointees had to meet qualifications specified in regulations adopted by DAS and successfully complete 80 hours of training. No court security officer could also serve as a deputy sheriff.

Only about 30 court security officers were ever hired. In 1984, the position was eliminated. People employed on July 1, 1984, continued as appointees, but with the title "special deputy sheriff," which had no specified job requirements.

In 1989, the membership of the Sheriffs' Advisory Board was increased to five. In 1991, the board was directed to establish minimum qualifications and testing procedures for courthouse security personnel, and in 1994, it was given responsibility for the establishment of training programs for deputy and special deputy sheriffs.

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<sup>1</sup> In the 1990s, the high sheriffs for Hartford and New Haven counties each took over single, 24-hour lock-ups in their respective regions. They continue to operate those sites today.



## **APPENDIX B**

### **CHARACTERISTICS OF THE COUNTIES**

1



## APPENDIX B

### Characteristics of the Counties

There are eight counties in Connecticut. The towns in each are specified in C.G.S. Sec. 6-1. The boundaries, which have been the same since 1785, are shown in Figure B-1. Although county governance no longer exists, sheriffs are still elected on the basis of the county lines.

Table B-1 contains information about characteristics of the counties related to the work performed by the different types of sheriffs, including the size, population, and number of court facilities. Summary information about court activity also is presented in the table.

The eight regions are markedly different. The smallest in terms of the number of courtrooms (five) is the largest in terms of square miles (938). Likewise, one county transported nearly 63,000 prisoners in FY 98, while another county only transported 3,041 prisoners.

**TABLE B-1. Characteristics of the Counties.**

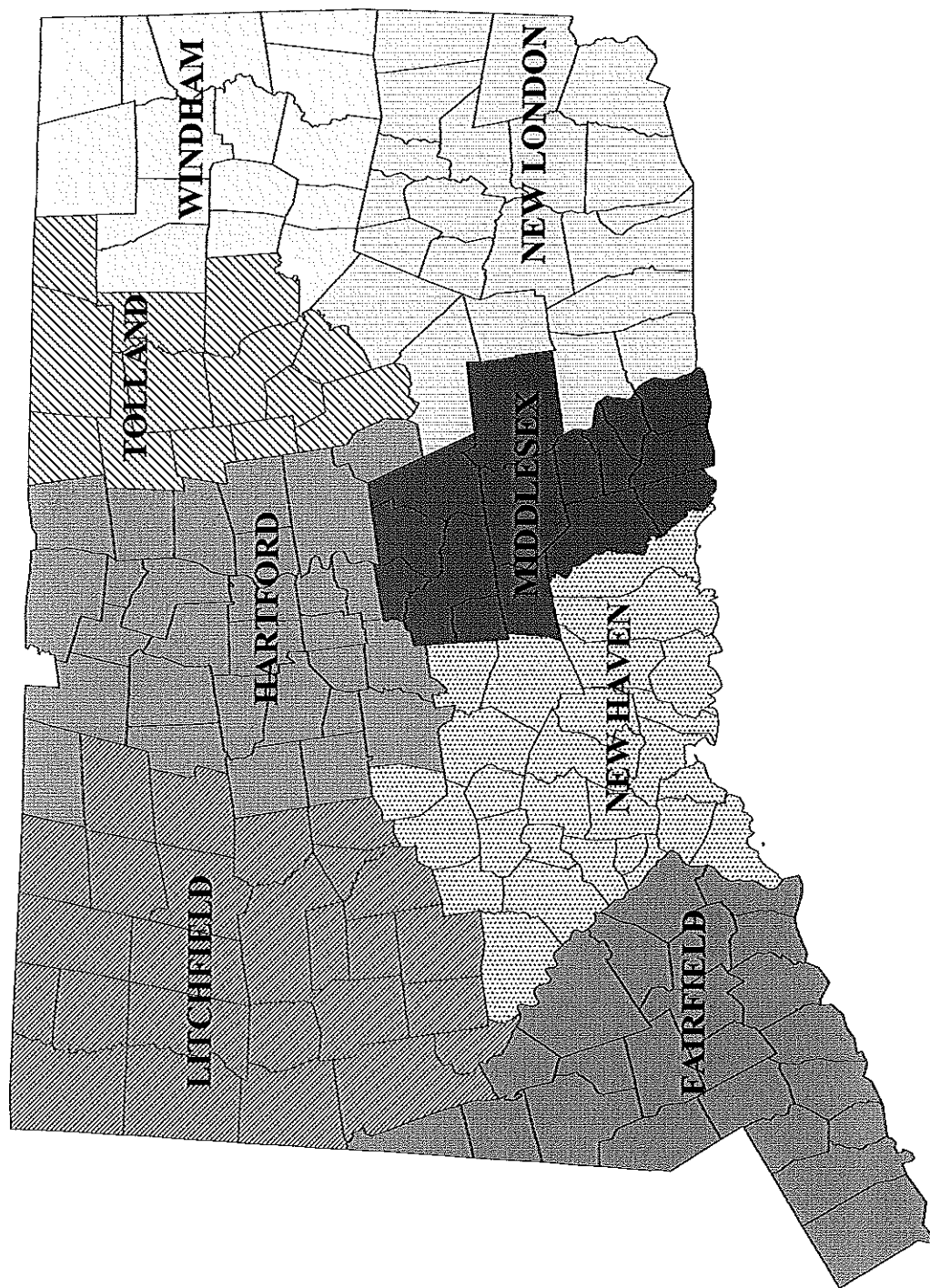
<i>County</i>	<i>No. of Towns</i>	<i>1990 Popula</i>	<i>Sq. Miles</i>	<i>No. and Location of Courthouses</i>	<i>No. of Court-rooms</i>	<i>New Cases FY 98</i>	<i>No. of Trials FY 98</i>
Fairfield	23	827,645	633	10 sites in 4 towns: 3 in Bridgeport, 3 in Stamford, 2 in Norwalk, and 2 in Danbury	57	121,403	4,333
Hartford	29	851,783	740	12 sites in 6 towns: 7 in Hartford, 1 in New Britain, 1 in Manchester, 1 in Enfield, 1 in West Hartford, and 1 in Bristol [In Hartford, sheriffs also stationed at additional site]	66	167,586	5,194
Litchfield	26	174,092	938	3 sites in 2 towns: 2 in Litchfield and 1 in Torrington	5	19,919	426
Middlesex	15	143,196	374	3 sites: all in Middletown	19	32,698	880
New Haven	27	804,219	610	9 sites in 5 towns: 3 in New Haven, 1 in Meriden, 1 in Milford, 1 in Derby, and 3 in Waterbury [In New Haven, sheriffs also stationed at additional site and at off-site lock-up facility]	72	174,946	4,207
New London	21	254,957	672	5 sites in 3 towns: 2 in New London, 2 in Norwich, 1 in Montville	17	47,066	1,661
Tolland	13	128,699	416	3 sites: all in Vernon	9	19,789	1,341
Windham	15	102,525	516	4 sites in 3 towns: 2 in Windham, 1 in Killingly, and 1 in Putnam	8	15,836	593

Sources of data: Conn. State Data Center, *Connecticut 1990 Census Complete Count Data - Part A*, Rosaline Levenson, *County Government in Connecticut - Its History and Demise*, and documents from the Office of the County Sheriffs and the Judicial Department, including *Report of the Connecticut Judicial Department, 1996-98*.

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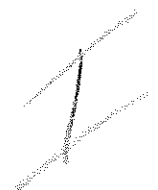


**FIGURE B-1. Boundaries of Counties in Connecticut.**



## **APPENDIX C**

### **CONNECTICUT STATUTES CONCERNING SHERIFFS**

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C.G.S. Sec.	Summary of Major Provisions (Concerning Sheriffs and/or Referencing Sheriffs)	Sheriffs Duties	System Element	Others Duties	Authorize Others	Type
1-79 (k)	For purposes of Code of Conduct for Public Officials, "public official" includes "any sheriff or deputy sheriff"	X	X			D
1-83	Requires "sheriffs and deputy sheriffs" (among others) to annually file with State Ethics Commission (by May 1) a statement of financial interests for preceding calendar year	X	X			O
1-84	Describes prohibited activities for "public officials" and state employees (e.g., having financial interest in business in substantial conflict with duties, disclosing confidential information for financial gain, soliciting gifts, etc.)	X	X			D
1-102	Prohibits anyone from employing "the sheriff of any county or any person receiving a salary or pay from the state for services rendered and performed at Hartford" (among others) to appear before or petition the General Assembly regarding a pending matter			X		O
2-7	Lists delivery of notice by a "sheriff" or deputy sheriff (among others) as one of several methods of distribution when secretary of the state (SOTS) has to notify General Assembly members of special or other session	X			X	S
2-61	Requires SOTS to send statutes to "each sheriff" (among others)			X		O
3-96	Requires SOTS to keep list of "sheriffs" (with date of appointment and term of service)		X	X		O
3-125	Requires attorney general to appear for high sheriffs or chief deputy sheriffs in suits and other civil proceedings (except when they are insured or required to be insured) – excludes criminal recognizances and bail bonds when the state is a party or is interested OR when the official acts and doings of the sheriffs are called in question		X	X		O
4-151	Allows claims commissioner to issue a capias "directed to the sheriff of the county" where a person who fails to respond to a subpoena resides	X				S
4-183 <sup>9</sup>	Allows service of appeal to be made by U.S. mail (without the use of a "sheriff"), if a person appeals an administrative agency's decision to the court – per P.A. 99-39, "service is effective upon deposit of appeal in the mail"	X			X	S
5-142a	Presumes any high sheriff, chief deputy sheriff, deputy sheriff, or special deputy sheriff who dies, is disabled, or injured while performing "any duty for which he is compensated by the state" is state employee and will be compensated in accord with Sec. 5-142		X			D
5-164a (c)	Excludes work as a special deputy sheriff from employment state retirees are prohibited from performing, if they wish to continue receiving retirement income (as long as their preretirement service was not as a special deputy)		X			D
5-187	Specifies "sheriff of each county and the chief deputy sheriff of each county" are employees of the state re salaries received from the state (including fees on Judicial Dept. payroll), but excluding other fees; specifies certain state retirement benefits apply to "sheriffs and their chief deputies"		X			D
5-187a	Specifies certain state retirement benefits apply to deputy sheriffs (if sought by 1/1/68)		X			D

C.G.S. Sec.	Summary of Major Provisions (Concerning Sheriffs and/or Referencing Sheriffs)	Sheriffs Duties	System Element	Others Duties	Authorize Others	Type
5-187b	Specifies every special deputy sheriff appointed before 7/1/99 becomes member of state employees retirement system 7/1/99; vesting and credited service calculated from 7/1/99		X			D
5-187c	Specifies special deputy sheriffs appointed on or after 7/1/99 become members of the state employees retirement system on date of their appointment; vesting and credited service will be calculated from date of appointment		X			D
5-192v	Excludes work as special deputy sheriff from employment state retirees are prohibited from performing in order to continue receiving retirement income (provided preretirement service was not as special deputy, and they were a special deputy sheriff on 7/1/99)		X			D
5-198	Exempts special deputy sheriffs from classified service [defined in Sec. 5-196 as "every office or position in state service, whether full-time or part-time, for which compensation is paid, except those offices and positions specified in Sec. 5-198 or otherwise expressly provided by statute"]		X			D
5-270	Specifies special deputy sheriffs are not excluded from definition of employee for collective bargaining purposes (even though they are appointed)		X			D
6-29	Precludes all judges (except probate) and justices of the peace from holding the "office of sheriff or deputy sheriff"		X			O
6-30	Precludes anyone from carrying out duties of "sheriff" until he/she executes \$10,000 bond payable to the state (conditioned on faithful discharge of duties, including when serving as deputy of another sheriff under Sec. 6-38); allows governor to demand of any "sheriff" a new bond (if not provided, such sheriff shall be considered to have resigned); requires \$100,000 bond of any "sheriff" collecting tax warrants for the state or a municipality; requires each "sheriff" to receive a commission and lodge his/her bond with SOTS	X		X		S
6-30a	Requires each "sheriff" and deputy sheriff to carry personal liability insurance for damages caused by his/her tortious acts (\$100,000 for one person and \$300,000 for more than one person), provided the act is not committed in the performance of his/her official duties	X				S
6-31	Each "sheriff" may execute in his/her county all lawful process, shall conserve the peace (and when necessary suppress riots, etc.), and may command anyone to assist in the execution of the office	X				P & S
6-32	Each "sheriff" and deputy sheriff is to receive process directed to him/her when tendered, execute it promptly, and make true return; receipts for civil process must be given without fee; failure to promptly execute and return process or make false or illegal return makes sheriffs liable for double the amount of all damages of aggrieved party	X				S
6-32a	Establishes Sheriffs' Advisory Board to administer prisoner transportation and courthouse security system; specifies members are: two high sheriffs elected by "the high sheriffs," one as chair and one as vice chair; the commissioner of correction; the chief court administrator; and the comptroller; places the board within the Office of the Comptroller for administrative purposes only	X	X	X		C & T

C.G.S. Sec.	Summary of Major Provisions (Concerning Sheriffs and/or Referencing Sheriffs)	Sheriffs Duties	System Element	Others Duties	Authorize Others	Type
6-32b	Requires Sheriffs' Advisory Board to: cooperate with DAS and other agencies on behalf of high sheriffs and the prisoner transportation and courthouse security system; establish operating procedures for transportation and program for deputy and special deputy sheriffs; establish operating procedures for transportation and courthouse security and direct operations for efficient coordination among high sheriffs; receive/expense certain monies; submit annual report to governor; maintain record of prisoner movements undertaken by high sheriffs; and for courthouse security personnel, establish minimum qualifications, develop standardized test to determine qualifications/fitness/ability, conduct investigation into background of applicants, require physical exam, and approve training program	X	X	X		C, S, & T
6-32c	concerned court security officers -- repealed 1984					NA
6-32d (1)	Assigns responsibility for transportation and custody of prisoners -- (unless agreed otherwise by Department of Correction (DOC) and advisory board) each high sheriff transports: male prisoners between courthouses within his/her county and (a) community correction centers, until sentencing, (b) other places of confinement after arraignment and until sentencing, and (c) the place of initial confinement after sentencing; and adult female prisoners between courthouses within the county and community correction centers, not including correctional institution at Niantic	X	X	X		T
6-32d (2)	Gives DOC responsibility for transporting adult female prisoners between places of confinement and courthouses and community correction centers		X		X	T
6-32d (3)	Makes each high sheriff responsible for the custody of prisoners at courthouses within his/her county (except local police operating a lockup designated as a courthouse lockup is responsible for that lockup)	X	X		X	C
6-32d (4)	Specifies Lafayette St. courthouse is to be used to house persons arrested by Hartford Police Dept. and held for presentment at next court session (with processing, booking, and release performed at Hartford booking facility), and high sheriff of Hartford County is responsible for operating Lafayette St. lockup and transporting arrestees prior to arraignment from Hartford booking facility	X	X	X		C & T
6-32e	Exempts prisoner transportation and courthouse security system from policy of promoting the hiring of rehabilitated criminal offenders (in Secs. 46a-79 to 46a-81), but does not preclude adoption of the policy		X			C & T
6-33	Specifies annual salaries of elected sheriffs -- \$37,000 in New Haven, Hartford, Fairfield, and New London counties; \$35,000 in Middlesex, Tolland, Litchfield, and Windham counties -- to be paid by the state as full compensation for all duties elected sheriffs are required by law to perform for the state (except service of civil process fees)		X	X		O
6-33a	Requires high sheriffs to reimburse the state 21 cents/mile for use of state-issued motor vehicle when performing service of process work for private entities who pay for mileage	X	X			S

C.G.S. Sec.	Summary of Major Provisions (Concerning Sheriffs and/or Referencing Sheriffs)	Sheriffs Duties	System Element	Others Duties	Authorize Others	Type
6-34	Allows each "sheriff" reasonable compensation for services and expenses when preventing or suppressing mobs, riots, etc.; specifies costs other than for service of process incurred by an elected sheriff in performance of court-related duties (upon approval by a judge) to be taxed and paid as court expenses, and for other duties to be paid by the state (upon approval by the comptroller)		X	X		C & P
6-35	Requires "any sheriff or deputy sheriff" to pay over money collected on behalf of a person to that person within 90 days of date of collection or upon collection of \$1,000 (whichever occurs first) -- failure to comply with this requirement makes the sheriff liable for 5% interest per month from time money was received	X	X			S
6-36	Requires General Assembly to remove from office, any "sheriff" who knowingly demands or receives illegal fees for serving process, illegally detains money collected, or refuses to satisfy any execution issued against him/her		X	X		S
6-37	Allows each "sheriff" to appoint deputies with same powers to serve civil process, and specifies each deputy is responsible for his/her own performance in executing process; also allows "sheriff" to appoint "chief deputy," who shall act in the absence/illness/disability of the "sheriff," at his/her direction, or in the case of the death of the "sheriff," until the vacancy in the office is filled	X	X			S
6-37a	Requires Sheriffs' Advisory Board (in consultation with high sheriffs) to develop reference manual for deputy sheriffs	X	X	X		S
6-38	Specifies maximum number of deputy sheriffs per county (but allows "any proper person" be deputized to execute process on special occasions); requires deputy sheriffs be citizens of Connecticut	X	X		X	S
6-39	Requires every deputy sheriff to give the "sheriff" a \$10,000 bond (which premium is paid by the state), but requires \$100,000 bond if tax warrants are to be collected for the state or a municipality	X	X	X		S
6-40	Specifies annual salaries of chief deputy sheriffs -- \$11,000 in New Haven, Hartford, Fairfield, and New London counties; \$10,500 in Middlesex, Tolland, Litchfield, and Windham counties -- to be paid by the state		X	X		O
6-41	Specifies daily fee payable to deputy and special deputy sheriffs for attendance at Supreme Court, Appellate Court, or Superior Court is \$110, except special deputy sheriffs assigned as: supervisors receive \$140, transportation court officers receive \$130, cell block officers receive \$120, and metal detector court officers receive \$115; prohibits receipt of more than one day's fee in any one day, and specifies constables receive \$20/day for attendance at court; specifies deputy and special deputy sheriffs on second or third shift at an overnight jail facility are to receive shift fee of \$5	X	X	X	X	C & T
6-42	concerned accident insurance for deputy sheriffs -- repealed 1959					NA

C.G.S. Sec.	Summary of Major Provisions (Concerning Sheriffs and/or Referencing Sheriffs)	Sheriffs Duties	System Element	Others Duties	Authorize Others	Type
6-43	Allows "sheriff of any county" to appoint special deputy sheriffs in numbers he/she deems necessary for prevention or investigation of crime OR for attendance at court – appointees will be sworn to faithful performance of duties (except civil process), shall hold office as long as term of appointing sheriff (unless removed sooner for just cause after due notice and hearing), and effective 7/1/99 are subject to Chapters 66 to 68 (i.e., State Employees Retirement Act, State Personnel Act, and Collective Bargaining for State Employees)	X	X	X		C, P, & T
6-44	Allows "sheriff of any county," upon application by town/city/borough/district or corporation, to appoint deputies in such number as desired to perform duties and have the powers of deputy sheriffs except service of process – these appointees will be paid by entity requesting them, who shall also be responsible for any malfeasance, misfeasance, or default by the deputies (these responsibilities cease upon written notice to the "sheriff")	X		X	X	P & T
6-45	Requires deputy sheriff appointments to be in writing and recorded in superior court; specifies deputy sheriffs hold office as long as term of appointing sheriff (unless removed sooner for just cause after due notice and hearing)	X	X			O
6-46	Allows "any sheriff" sued as a result of default by a deputy to recover on the bond of that deputy \$15 plus the amount recovered from him/her or compelled to pay on account of the default; specifies any "sheriff" who demands or receives compensation from any deputy shall be removed from office (on information from the state's attorney) and forever disqualified from holding the office of sheriff	X	X	X		O & S
6-47	concerned removal of deputy sheriffs – repealed 1959					NA
6-48	Continues in office all appointed deputy sheriffs upon the death, resignation, or removal from office of any "sheriff" until another "sheriff" is elected or appointed	X	X			O
6-49	transferred to Chapter 959, Sec. 54-1f					NA
6-49a	transferred to Chapter 959, Sec. 54-1h					NA
7-8	Specifies anyone who refuses to assist town meeting moderator is subject to same penalties "as for refusing to assist sheriffs and constables"				X	P
7-89	Specifies constables have same powers in their towns to serve and execute all lawful process legally directed to them as "sheriffs" have in their respective counties – constables are equally liable for neglect or unfaithfulness				X	S
7-108	Makes cities and boroughs liable for compensation or expenses incurred by sheriffs or those assisting them in preventing or suppressing mobs, riots, etc.			X		P
7-294d (f)	Excludes (among others) "sheriffs or deputy sheriffs" trained by Sheriffs' Advisory Board per Sec. 6-32b from jurisdiction of Police Officer Standards and Training Council		X	X		O



C.G.S. Sec.	Summary of Major Provisions (Concerning Sheriffs and/or Referencing Sheriffs)	Sheriffs Duties	System Element	Others Duties	Authorize Others	Type
8-129	Requires redevelopment agency determining compensation is to be paid, in cases of persons residing in the state, to cause copy of such notice to be served by "a sheriff, his deputy or a constable or an indifferent person" -- nonresidents can receive notice by registered or certified mail and by publishing a notice in a newspaper	X		X	X	S
9-7b	Allows court to order payment of sheriff's fees (among other costs) in cases where Elections Enforcement Commission has levied civil penalty that has not been paid			X		O
9-173	Specifies in elections for "sheriffs," person with greatest number of votes shall be elected		X			O
9-182	Specifies "sheriff of each county" shall be elected "at the state election in 1996, and quadrennially thereafter" for term of four years from June 1 following the election		X			O
9-212	Requires governor to issue a writ of election in case of vacancy in Congressional seat, which must be conveyed to sheriff(s) of the county/counties composing the district, who shall transmit attested copy to appropriate town clerks	X		X		S
9-218	Requires governor to issue writs of election in certain cases involving election of judges of probate, which must be transmitted to sheriff of county covering district, who shall transmit them to appropriate town clerk(s)	X		X		S
9-230	Specifies anyone who refuses to assist moderator of an election is subject to same penalties "as for refusing to assist sheriffs and constables"				X	P
9-251	Specifies order offices (including the "sheriff") are to appear on state election ballot		X	X		O
9-301	Requires moderator for election of specified offices (including the "sheriff") to report certain information to the Secretary of the State			X		O
9-314	Requires moderator for state elections in towns without multiple voting districts to report information about specified offices (including the "sheriff") to the Secretary of the State			X		O
9-319	Describes canvassing procedures for certain offices (including "sheriffs")			X		O
9-324	Describes complaint process for electors/candidates re certain offices (including "sheriff")			X		O
9-326	concerned contested election for sheriff -- repealed 1978					NA
9-331	Requires General Assembly to choose sheriff in any county where two or more persons receive "greatest and an equal number of votes" but if one party dies, General Assembly may select any elector as sheriff; specifies governor fills vacancy in office of sheriff, until filled by General Assembly		X	X		O
9-333e	Requires committees for certain candidates for office (including "sheriff") to file statements			X		O
9-333m	Limits who can contribute to campaigns for certain offices (including "sheriff")			X		O
9-333o (d)	Limits political committees formed by businesses from contributing more than \$2,000 to a candidate for "sheriff"			X		O
9-333q	Limits political committees established by organizations from contributing more than \$1,000 to a candidate for "sheriff"			X		O

C.G.S. Sec.	Summary of Major Provisions (Concerning Sheriffs and/or Referencing Sheriffs)	Sheriffs Duties	System Element	Others Duties	Authorize Others	Type
9-346b	Specifies certain powers of state referees and Superior Court judges, including requiring attendance and assistance at an inquiry or in procuring attendance of witnesses by "any sheriff, deputy sheriff, state policeman, constable or police officer" (who shall be allowed reasonable compensation)	X		X	X	S
10-200	Allows "sheriffs" and deputy sheriffs (among others) to arrest "habitual truants"	X			X	P
12-35 (a)	Re collection of state taxes: specifies serving officer includes "any sheriff, deputy sheriff, constable or employee of such state collection agency" and requires serving officers to make return within 10 days of receiving warrant, collect his/her fees and charges from the person (which shall be twice those authorized by statute for serving officers, but at least \$5, and money collected shall first go to fees/charges); authorizes serving officer to place "keeper" in a business with duty to secure income of the business for the state	X			X	S
12-35 (b)	Allows warrants on intangible personal property to be served "by certified mail, return receipt requested, to any third person" possessing or obligated re property/compensation as long as state collection agency making out warrant notified owner of property in writing of intent to issue warrant (latter notice can be delivered in person, left at the dwelling or business of the person, or mailed)	X			X	S
12-135	Authorizes tax collector and "any sheriff, deputy sheriff or constable" authorized by him/her to collect taxes due the municipality served by the collector, if proper warrant and "alias tax warrant" have been issued; specifies authorized tax collectors who execute warrants outside their precinct are entitled to collect fees (minimum = \$5 and maximum = \$15) from person owing taxes	X		X	X	S
12-162	Allows "any sheriff, deputy sheriff, constable or other officer authorized to serve any civil process" to serve warrant for tax collection, provided alias tax warrant has been issued (using wording specified in statute); authorizes person collecting taxes as result of the warrant to receive 10% of taxes collected plus expenses otherwise allowed; minimum fee for service shall be \$20; any officer unable to serve the warrant within 60 days must return warrant to the collector with a written reason	X	X	X	X	S
12-569	Specifies Connecticut Lottery Corp. shall direct warrants related to delinquent lottery sales payments to "any sheriff" or deputy sheriff (among others)	X		X	X	S
13a-64	Requires "the sheriff of such county personally or, if he is interested or incapacitated, by such deputy sheriff in the county as the court directs" to summon and attend jury drawn to "reestimate the damages and benefits or either" of the layout or alteration of a state highway	X				C & S
14-1	For purposes of Chap. 246 (Motor Vehicles), defines "Officer" as including any "sheriff" and deputy sheriff (among others) – requires officer be in uniform or displaying badge of office when making an arrest	X			X	P

C.G.S. Sec.	Summary of Major Provisions (Concerning Sheriffs and/or Referencing Sheriffs)	Sheriffs Duties	System Element	Others Duties	Authorize Others	Type
14-12h	Authorizes any "sheriff" or deputy sheriff (among others) to remove cancelled registration plates from motor vehicles in parking areas (as defined in Sec. 14-212) and return them to Dept. of Motor Vehicles (DMV); requires owner of motor vehicle to pay \$50 confiscation fee to DMV – in cases involving sheriffs, requires DMV to remit fees to them	X		X	X	P
14-12i <sup>9</sup>	Allows insurance commissioner to use money from Special Transportation Fund to reimburse sheriffs and deputy sheriffs (among others) for expenses to enforce Sec. 14-12h			X		O
14-12n	Allows use of money from Uninsured Motor Vehicle Forfeiture Revolving Account to reimburse sheriffs and deputy sheriffs who confiscated number plates under Sec.14-12h			X		O
14-65 <sup>9</sup>	Exempts "a sheriff or such sheriff's deputy" from obtaining DMV permit to sell motor vehicles at auction (also exempts private auction by car owner who is not used car dealer)	X			X	O
14-151	Gives "the sheriffs of the several counties and their deputies" the same authority within their respective counties as DMV inspectors under Sec. 14-150 (re abandoned motor vehicles)	X			X	P.
14-197	Gives a "sheriff" (among others) specified responsibilities for notifying DMV about stolen and/or recovered motor vehicles	X			X	P
14-225	Includes a "sheriff" or deputy sheriff among the parties to whom a driver involved in an accident is prohibited from refusing to give information to or from giving false information			X	X	P
15-76	Requires "any sheriff" (among others) to take into custody and store abandoned aircraft	X			X	P
17a-8	Allows any "sheriff" (among others) to arrest and hold a child or youth who has escaped from custody of Department of Children and Families (DCF) upon request of DCF commissioner or his/her designee	X			X	P
17a-685 <sup>9</sup>	Requires notice for involuntary commitment hearing be served by "a sheriff or deputy sheriff, constable or indifferent person," unless respondent is in a facility, in which case regular mail can be used	X			X	S
17a-699	When a court orders a person transferred immediately for treatment of alcohol or drug dependency, the court must "issue a mittimus directing the sheriff to convey the person"	X		X		S
17b-745 7(B) <sup>9</sup>	Allows certain documents related to ordering support payments for persons supported by the state to be served by "a sheriff, any proper officer or any investigator" employed by Departments of Social Services (DSS) or Administrative Services (DAS) -- requires due return of process 21+ days before hearing	X			X	S
18-28	Requires "sheriff of Hartford County or his deputy" to attend Board of Pardons sessions and specifies he/she shall receive fee paid for attendance of Superior Court sessions	X	X			C
18-31a	Specifies any reference in statutes or special acts to "sheriffs" as jailers shall be to the commissioner of correction		X		X	D
18-32 to 18-45	concerned sheriffs as jailers -- repealed 1967					NA

C.G.S. Sec.	Summary of Major Provisions (Concerning Sheriffs and/or Referencing Sheriffs)	Sheriffs Duties	System Element	Others Duties	Authorize Others	Type
20-325a (q)	Requires real estate brokers give property owner and prospective buyer written notice of a claim for lien – notice can be served by "any indifferent person, sheriff or other proper officer" by leaving attested copy at their usual place of abode	X		X	X	S
20-325e	Allows notice for hearing for real property claims for liens to nonstate residents be given by personal service, registered or certified mail, publication, or other method directed by the court; describes language for summons given to sheriff or his deputy (among others)	X		X	X	S
21-35j	Exempts sales ordered by a court or conducted by "any sheriff" and certain others from statutory provisions re Closing-Out Sales	X			X	O
22-286	Allows state/federal animal and agriculture authorities to call upon "sheriffs" and constables to assist with duties related to the eradication of bovine tuberculosis	X		X	X	O
22-326b	Allows state/federal animal and agriculture authorities to call upon "sheriffs" and constables to assist with duties related to the eradication of avian diseases	X		X	X	O
22-330	Gives commissioner of agriculture and certain animal control officers authority to issue written complaints/summons for violations of laws concerning dogs and other domestic animals "in the same manner sheriffs, police officers or constables may exercise in their respective jurisdictions"				X	P
22a-178	Allows Department of Environmental Protection (DEP) to use certified mail (return receipt requested), "sheriff" or indifferent person to serve a written order on person who violated Chap. 446c re Air Pollution Control	X		X	X	S
22a-225	Allows DEP to use certified mail (return receipt requested), "sheriff" or indifferent person to serve written order on person who violated Chap. 446d re Solid Waste Management	X		X	X	S
22a-250a	Allows summons to appear related to seizure of vehicle used to dispose of hazardous waste without a permit to be served by "local or state police officer, sheriff, deputy sheriff, constable or other person designated by" DEP commissioner	X		X	X	S
23-37	Gives state forest control personnel "all the powers of a deputy sheriff in the arrest of any person" who allegedly violates statutes protecting forest and timber land				X	P
23-40	Gives "patrolmen" appointed by state forest fire warden "all the powers of a deputy sheriff in the arrest of any person" who allegedly violates statutes protecting forest and timber land				X	P
26-6	Allows "conservation officers, special conservation officers and patrolmen" to arrest (without warrant) any person violating specified statutes and gives them same powers to enforce such laws as "sheriffs, policemen or constables in their respective jurisdictions"				X	P
26-206	Gives "shellfish police" the powers of "a sheriff in making arrests"				X	P
27-189	Allows military judge or president of a court-martial (under certain circumstances) to issue warrant directed to "the sheriff of the county, his deputy or any constable of the town in which such witness resides" to commit person to a community correctional center	X		X	X	S

C.G.S. Sec.	Summary of Major Provisions (Concerning Sheriffs and/or Referencing Sheriffs)	Sheriffs Duties	System Element	Others Duties	Authorize Others	Type
29-1g	Gives two "special policemen" in Bureau of Child Support Enforcement, appointed by Department of Public Safety (DPS) for service of any warrant or capias mittimus issued by the court on child support matters "all the powers conferred on the state policemen, sheriffs and their deputies"				X	P & S
29-7	Gives state policemen the same powers re criminal matters and enforcement of the law as "sheriffs, policemen or constables have in their respective jurisdictions"				X	P
29-10	Requires deputy sheriffs (among others and with consent of authority to which he/she is subject) to go to any part of the state required by commissioner of public safety -- while so acting, the deputy sheriff has all the powers conferred on state policemen and will be paid an amount fixed by the commissioner	X		X	X	P
29-12	Requires "all sheriffs" (among others) to submit fingerprints and other information of all persons arrested under specified circumstances to the State Police Bureau of Identification	X			X	P
29-18a	Gives "special policemen" appointed to investigate public assistance fraud "all the powers conferred of the state policemen, sheriffs and their deputies"				X	P
29-33 <sup>9</sup>	Exempts any "sheriff" (among others) from permit requirements related to purchase or receipt of pistols/revolvers	X			X	O
29-35	Exempts any "sheriff" (among others) from pistol/revolver permit requirements while engaged in the pursuit of his/her official duties	X			X	O
29-36j	Allows a "sheriff" (among others) to purchase pistol/revolver without permit or eligibility certificate	X			X	O
29-37a	Exempts any "sheriff" (among others) from the waiting period requirements to purchase firearms other than pistols/revolvers	X			X	O
29-108b	Gives "special police officers" appointed by DPS commissioner at the request of the Connecticut Humane Society the powers of "sheriffs, constables and police officers to arrest and detain any person" violating statutes concerning cruelty to animals				X	P
30-45	Prohibits Department of Consumer Protection from issuing liquor permit to "any sheriff" or deputy sheriff (among others)	X		X	X	O
30-106	Allows "the sheriff of the county, and any deputy sheriff by him specially authorized" (among others) to enter the premises of a liquor permittee to ascertain how the person is conducting business and to preserve order	X			X	P
31-294d	Requires medical personnel, if an injured employee who is a high sheriff, chief deputy sheriff, deputy sheriff, or special deputy sheriff (among others) and who has been exposed "in the line of duty to blood or bodily fluids which may carry blood-borne disease" to provide diagnostic, prophylactic, and treatment information to employers			X		O
36b-21	Exempts transactions by "sheriff" (among others) from certain registration of securities requirements (under the Uniform Securities Act)	X			X	O

C.G.S. Sec.	Summary of Major Provisions (Concerning Sheriffs and/or Referencing Sheriffs)	Sheriffs Duties	System Element	Others Duties	Authorize Others	Type
38a-18	Allows insurance commissioner if seizure of property, records, etc. at an insurance company is to be made, to demand "the sheriff of the county in which the principal office of the company is located" (among others) furnish assistance	X		X	X	O
42-133f	Allows "a sheriff or indifferent person" to serve a lease termination notice on a franchisee	X			X	S
45a-316	Allows Court of Probate to order "any deputy sheriff or constable" to take possession of an estate until the appointment of an administrator or executor	X		X	X	O
45a-649	Allows Court of Probate to use "a sheriff or his deputy, constable or an indifferent person" to make personal service of a notice of a hearing for involuntary representation	X		X	X	S
45a-671	Allows Court of Probate to use "a sheriff or his deputy, constable or an indifferent person" to serve a citation and notice of a hearing for guardianship	X		X	X	S
45a-693	Allows Court of Probate to use "a sheriff or his deputy, constable or an indifferent person" to make personal service of a citation and notice of hearing for determination of ability to give informed consent to sterilization	X		X	X	S
46a-82e	Specifies notice of a court hearing on a petition requiring CHRO issue a finding re a specific complaint be sent by U.S. mail "without the use of a sheriff or other officer"				X	S
46b-125	Allows probation officers (and other employees designated to assist them) to execute orders of the court with same authority as deputy sheriff in each county of the state				X	S
46b-144	Requires court to designate "some indifferent person to serve commitment process" for child/youth to a custodial agency; forbids person serving process from dressing in uniform of any police officer or "sheriff" or displaying badge			X	X	S
46b-150	Allows court to use "a sheriff, his deputy, constable or indifferent person" to serve a citation and notice of hearing for emancipation of a minor	X		X	X	S
46b-160	Requires "sheriff, proper officer or investigator" to make due return of process to the court 21+ days before a hearing to establish paternity	X			X	S
46b-172	Requires "sheriff or proper officer" to make due return of process to the court 21+ days before a hearing re support of a child by a person acknowledging paternity	X			X	S
46b-215	Requires "sheriff, any proper officer or any investigator employed by " DSS or DAS to make due return of process to the court 21+ days before a hearing to establish a relative's obligation to furnish support	X			X	S
47a-42 (a)	Allows plaintiff in a residential eviction proceeding to obtain execution upon summary judgment against defendant or other occupants of property, which allows "a sheriff or his deputy" to remove possessions and personal effects to adjacent sidewalk/street/highway	X		X		S
47a-42 (b)	Requires "the sheriff or deputy" charged with executing a residential eviction to give 24 hours notice of eviction to chief executive officer of town – before giving notice, sheriff or deputy must use reasonable efforts to locate and notify defendant or occupants of date and time of eviction	X				S

C.G.S. Sec.	Summary of Major Provisions (Concerning Sheriffs and/or Referencing Sheriffs)	Sheriffs Duties	System Element	Others Duties	Authorize Others	Type
47a-42a (b)	Requires "the sheriff or deputy" charged with executing a nonresidential eviction to, at least 24 hours before eviction, use reasonable efforts to locate and notify defendant or occupant of date and time of eviction	X				S
47a-42a (c)	Requires "sheriff or deputy who served the execution" to remove defendant/occupant -- possessions and personal effects not already removed are to be removed and stored by plaintiff	X				S
48-23	Allows Superior Court to issue an execution commanding "the sheriff of the county" to put entitled parties into possession of condemned land	X		X		S
49-22	Requires "the sheriff or deputy" charged with executing an ejectment to give 24 hours notice of ejectment to chief executive officer of town -- before giving notice, sheriff or deputy must use reasonable efforts to locate and notify person(s) in possession of site of the date and time of ejectment	X				S
49-35	Describes circumstances when notice of mechanic's lien is to be served by "any indifferent person sheriff or other proper officer" at person's place of abode or by mail	X			X	S
49-35a	Allows notice to an out-of-state party of a hearing to discharge/reduce a lien be given by personal service, registered/certified mail, publication, or other method directed by the court				X	S
49-55d	Allows lienor of a vessel to cause a writ of attachment to be directed to "a sheriff or other proper officer" to take possession of vessel	X		X	X	S
50-1	Allows sale of certain unclaimed, perishable items at public auction "under the inspection of the sheriff or a deputy sheriff of such county"	X		X		O
51-30	Requires Superior Court or family support magistrates transacting business be "attended by the sheriff of the county in which the court is held or by such of his deputies or special deputies, or by such constables, as the sheriff may authorize"	X	X	X	X	C
51-31	concerned deputy sheriffs as court officers in New London -- repealed 1980					NA
51-89	Prohibits sheriffs and constables from appearing in court as attorneys	X				O
51-206	Allows sheriff of Hartford County or his deputy to adjourn any term/session of Supreme Court when no judge of the court is present, if given written order by chief justice (or if unavailable, the senior associate judge)	X		X		O
51-246	Places jury of a capital case "in the charge of the sheriff," if the judge orders the jury to remain together	X				C
52-50 (a)	Requires process be directed to "a sheriff, his deputy, a constable or other proper officer authorized by statute" -- specifies a reference on process "to any proper officer" means "a sheriff, deputy sheriff, constable or other proper officer"	X			X	D
52-50 (b)	In civil actions, precludes direction of process involving a writ of summons to "an indifferent person" unless there is more than one defendant named and they reside in different counties OR for a writ of attachment, plaintiff makes oath he/she is in danger of losing debt unless indifferent person deputed for immediate service				X	S

C.G.S. Sec.	Summary of Major Provisions (Concerning Sheriffs and/or Referencing Sheriffs)	Sheriffs Duties	System Element	Others Duties	Authorize Others	Type
52-50 (c)	Allows motions for modification or contempt and wage withholdings involving care or assistance matters or other child support cases be made by "any investigator employed by" DAS or DSS				X	S
52-50 (d)	Allows motions for modification or contempt and wage withholdings involving child support be made by support enforcement officer or support services investigator of Superior Court				X	S
52-50 e)	Allows borough bailiffs to execute all legal process within their boroughs	.			X	S
52-53	Allows sheriffs "on any special occasion" to depute in writing on the back of process "any proper person" to serve it – after service, that person has to appear before a justice of the peace and make oath process was faithfully served	X			X	S
52-54 to 52-72	Describes requirements related to service of process					S
52-127	Specifies "process or complaint drawn or filled out by a sheriff, deputy sheriff or constable, except in his own cause shall abate", but does not abate on account of any alteration between the time of signing and serving it			?		S
52-261	Specifies fees and expenses for service of process – see Table A for details		X			S
52-261a	Specifies fees and expenses for service of process – see Table A for details		X			S
52-278c	Specifies language to be used in summons issued to secure a prejudgment remedy			X		S
52-293	Allows sale of perishable property upon order by a judge, which can be carried out by officer who attached the property, "the sheriff of the county, or by any of his deputies, or any indifferent person requested in writing to do so" by attaching officer	X		X	X	S
52-325a	Specifies language to be used in summons issued re a lis pendens			X		S
52-350a	Defines levying officer as "a sheriff, deputy sheriff or constable acting within his geographical jurisdiction or in IV-D cases, any investigator employed by the Commissioner of Social Services"	X			X	D
52-434 (d)	Allows each judge trial referee to have "attendance of a sheriff or deputy sheriff at any hearing before him;" attending sheriffs shall receive same compensation as for regular sessions of court, and state referee shall tax compensation in same manner as similar costs are taxed by judges of the court	X	X	X		C
52-583	Limits civil action against "any sheriff, sheriff's deputy or constable" for neglect or default to two years after action			X	X	S
52-593a	Specifies cause or right of action is not lost because of passage of time limited by law, if process is personally delivered to authorized officer or office of any sheriff within the time limited by law as long as the process is served within 15 days of delivery – exception is an appeal from administrative agency acting under UAPA	X		X	X	S
53-164 <sup>9</sup>	Authorizes "any sheriff" or deputy sheriff (among others) to arrest anyone who has escaped from the Juvenile Training School or Southbury Training School	X			X	P
53-202	Requires machine gun manufacturers to permit any "sheriff" (among others) to inspect stock of machine guns, parts, and supplies	X		X	X	P



C.G.S. Sec.	Summary of Major Provisions (Concerning Sheriffs and/or Referencing Sheriffs)	Sheriffs Duties	System Element	Others Duties	Authorize Others	Type
53-264	Specifies each attorney, sheriff, deputy sheriff, or constable who intends to gain by "the fees of collection, purchases and suits" shall be fined up to \$100			X		O
53-278a	Defines peace officer as "municipal or state police officer, sheriff, deputy sheriff or chief inspector or inspector in the Division of Criminal Justice" for certain statutes related to gambling	X			X	P
53a-3 (9)	Defines peace officer as including "a sheriff, deputy sheriff or special deputy sheriff" (among others, including "official of the Department of Correction authorized by the Commissioner of Correction to make arrests in a correctional institution or facility")	X			X	P
53a-54b	Specifies crimes considered to be a capital felony include murder of a "sheriff or deputy sheriff" (among others)			X	X	O
54-1f	Specifies jurisdiction of a deputy sheriff or special deputy sheriff for purposes of a warrantless arrest is "wherever he is required to perform his duties	X			X	P
54-98	Requires "sheriffs" to execute mittimus for commitment of convicts to Somers by delivering convicts to warden or his/her agent; fee for each prisoner is 25 cents/mile from community correctional center where prisoner was confined (is to be taxed and paid as other expenses in criminal cases)	X		X		S
54-101	Requires the court, when a person in Somers awaiting execution is deemed insane, to issue mittimus to "the sheriff of Tolland County, or either of his deputies" for commitment	X		X		S
54-127	Specifies request from DOC or Board of Parole is sufficient authority for their officers or "any officer authorized by law to serve criminal process within this state" to return convicts or inmates on parole into custody -- allows those officers as well as "police officer, constable or sheriff" to arrest and hold parolee/inmate so requested without written warrant	X		X	X	P
54-203 (b)(17)	Requires Office of Victim Services to provide training program for special deputy sheriffs (among others) regarding victims' rights and available services			X	X	O
Connecticut Constitution						
Article Third Sec.6	Allows secretary of the state to use registered/certified mail or delivery by "sheriff" or deputy sheriff (among others) to deliver notice of special session for reapportionment to legislators [amended by Articles XII, XVI, and XXVI of Amendments to the Constitution]	X			X	O
Article Fourth Sec.25	Requires "sheriffs" be elected in counties on Tuesday after first Monday of 1966 and every four years thereafter, for term of four years commencing first day of June; must "become bound with sufficient sureties" to treasurer for faithful discharge of office; can be removed by General Assembly; in case of death, resignation, or removal, governor fills vacancy until filled by General Assembly		X			O
	"Others Duties" = Indicates other specified parties have statutory functions to perform for sheriffs					
	"Authorize Others" = Indicates others are authorized to perform same function as some type of sheriff					
<sup>9</sup>	language differs from statute book due to change made by a 1999 public act					
	TYPE: C = court security; D = definition; O = other; P = police functions; S = service of process; T = transportation of prisoners					

**TABLE A. Connecticut Statutory Fees And Expenses For Service Of Process Activities.**

<i>Activity</i>	<i>Fee (except as provided in Sec. 52-261a)</i>	<i>Fee for Judicial Department &amp; Division of Criminal Justice (Sec. 52-261a)</i>
service of process, summons, or attachment	not more than \$20 + \$10 for second and each subsequent defendant served + mileage fee set by DAS for state employees for each mile of travel from place process received to place of service (and for civil process to place of return) + town clerk's fees [multiple process to same person at one time equals total travel cost of one process]	service of process -- 20¢/mile for travel from place process received to place of service (and for civil process to place of return) + town clerk's fees [multiple process to same person at one time equals total travel cost of one process] serve summons or attachment by reading or copy -- 20¢, except \$20 in support enforcement cases
any attachment or execution	reasonable amount for care of property held by officer under attachment or execution -- serving officer may claim compensation for time and expenses of any person, in keeping, securing, or removing property (provided bill specifies labor done and by whom, time spent, travel, and money paid) compensation for services shall be <i>reasonable and customary</i> + expenses	same as Sec. 52-261 except compensation for services by serving officer is \$2/hour + expenses
summon jurors by personal service of warrant to court	25¢/mile (first 10 miles) and 10¢/mile (each mile after that)	same as Sec. 52-261
summon juror to court (other than by personal service of warrant)	50¢ + actual disbursements expended in making service as directed	same as Sec. 52-261
summoning grand jury	actual expenses + reasonable sum for services as taxed by the court	same as Sec. 52-261
taking bail or bail bond	\$1	same as Sec. 52-261
copies of writs and complaints, exclusive of endorsements	\$1/page, not to exceed \$900	60¢/page

TABLE A. Connecticut Statutory Fees And Expenses For Service Of Process Activities.		
Activity	Fee (except as provided in Sec. 52-261a)	Fee for Judicial Department & Division of Criminal Justice (Sec. 52-261a)
endorsements	40¢/page (or fraction thereof)	same as Sec. 52-261
service of warrant for seizure of intoxicating liquors, etc.	\$20	\$1
removal and custody of such liquors seized	\$20 + reasonable expenses	\$1 + reasonable expenses
levying an execution when money actually collected and paid over or debt secured to acceptance of creditor	10% of execution amount -- minimum of \$20	3% of execution amount
levy of an execution on real property and application of sale of personal property attached	each appraiser, for each 1/2 day of actual service -- reasonable and customary expenses	each appraiser, for each 1/2 day of actual service: \$2, surveyors: \$4/day, and chain bearers: \$2/day + sums paid to town clerk + fees of levying officer
causing execution levied on real property to be recorded	fees for travel, \$20 + costs	fees for travel + 50¢
services on application for sale of personal property attached or selling mortgaged property foreclosed under decree of court	same fees as for similar services on executions	same as Sec. 52-261
committing person to community correctional center in civil actions	214/mile for travel from court to center, in lieu of all other expenses	same as Sec. 52-261
summoning/attending a jury for reassessing damages or benefits on a highway	\$3/day	same as Sec. 52-261
each arrest in criminal cases	Not applicable	*\$1.50 + reasonable sum for necessary assistants (with necessity of assistance proved by oath)
travel with prisoner to court or community correctional center	Not applicable	*40¢/mile, but 40¢/mile per prisoner for multiple prisoners (up to maximum of \$2/mile) -- multiple mitimus for one prisoner same as one mitimus
holding prisoner in custody upon criminal process	Not applicable	*\$1 per 12 hours (or fraction) of custody

TABLE A. Connecticut Statutory Fees And Expenses For Service Of Process Activities.		
Activity	Fee (except as provided in Sec. 52-261a)	Fee for Judicial Department & Division of Criminal Justice (Sec. 52-261a)
holding prisoner in custody by order of court	Not applicable	*\$1/day
keepers	Not applicable	*\$5 per 12 hours in lieu of all expenses (except in special cases)
executing mittimus of commitment to Conn. Correctional Institution (Somers)	Not applicable	*\$1.50 for each prisoner
transporting prisoner from community correctional center to Somers or committed person to Manson Youth Institution	Not applicable	*\$25¢/mile, but 25¢/mile per prisoner for multiple prisoners (up to maximum of \$1/mile)
taking samples to state chemist by order of court	Not applicable	*\$2 + 10¢/mile for each mile in going and returning
serve mittimus to commit to Long Lane School	Not applicable	*necessary expenses + reasonable compensation
producing prisoner, held by criminal process, in court under habeas corpus	Not applicable	*25¢/mile travel + \$2.50/day for attendance
* not payable to state employees in classified service		

Under C.G.S. Sec. 52-262, legally authorized persons receive a 10 cent fee for:

- signing an attachment, summons, warrant, or subpoena;
- taking a bond or recognizance or an affidavit; or
- administering an oath out of court.

Payment for taking the acknowledgement of any instrument, or for signing and issuing a subpoena or capias is 25 cents.

Pay for causing notices of the seizure of intoxicating liquors to be posted or issuing an order for their destruction is 50 cents. These fees have not changed since 1959.

Under C.G.S. Sec. 12-162, authorized persons executing an alias tax warrant receive 10 percent of the taxes collected in addition to expenses otherwise allowed. The minimum fee for service is \$20.

# GLOSSARY - Appendix C

TERM	DEFINITION
<i>capias</i>	general name for several species of writs with the common characteristic that they require the officer to take the body of the defendant into custody
<i>eviction</i>	act of depriving a person of the possession of land or rental property he/she has held or leased
<i>execute</i>	to complete, perform, carry out according to its terms, fulfill the command or purpose of, etc. -- perform all necessary formalities
<i>indifferent [person]</i>	impartial; unbiased; disinterested
<i>mandate</i>	an oral or written command, order, or direction from the court to a person, who is bound to obey it
<i>mittimus</i>	a written precept issued by the court directing the sheriff or another officer to convey the named person and the facility to receive and safely keep him/her
<i>notice</i>	knowledge of facts that would cause prudent person to make inquiry -- does not necessarily mean knowledge of all of the facts; advice or written warning
<i>process</i>	in civil and criminal proceedings -- means used by the court to acquire or exercise its jurisdiction over a person or specific property OR to compel appearance of a defendant or compliance with a court demand; for legal process -- a summons, writ, warrant
<i>return (of process)</i>	the act of delivering back to the court a writ, notice, process, etc. that had to be served or executed
<i>service (of process)</i>	the service of writs, summonses, etc., signifies the delivering to or leaving them with the party to whom or with whom they ought to be delivered or left; and when they are so delivered, they are said to have been served
<i>subpoena</i>	a command to appear at a certain time and place to give testimony upon a certain matter; may also require the production of documents
<i>summons</i>	instrument used to commence a civil action or special proceeding; a means of acquiring jurisdiction over a party
<i>warrant</i>	an order, which generally requires the payment of a specified amount of money or the performance of a particular action; exact definition varies by type (e.g., land, possessory, probable cause, search, share, etc.)
<i>writ</i>	order issued from court requiring the performance of a specified act or giving authority to have it done
<i>writ of execution</i>	formal process issued by the court specifying debt of defendant to plaintiff and commanding officer to take the property of the defendant in satisfaction of the debt
Source of definitions = Black's Law Dictionary (Fifth Edition)	

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## **APPENDIX D**

### **PERFORMANCE OF SERVICE OF PROCESS NATIONWIDE**



APPENDIX D. Summary of Service of Process Provisions in Individual States.										
State	Density per Square Mile <sup>1</sup>	No. of Counties	Parties Eligible to Deliver One or More Types of Service of Process							Type of Mail Service Allowed (in some instances)
			Sheriff and/or deputy sheriff	Con- stable	Person 18+/21+ and not a party	Person appointed/ designated by court	Person authorized by law	Peace/ police officer	Person licensed/ registered	
Ala	80	67	X	X		X				Certified
Alas	1	None	only outside the state	only outside the state	X (subpoenas)	appointed by public safety commissioner	only outside the state	X		Registered/ Certified
Ariz	32	15	X		X (subpoenas)	X			X (with clerk of the court)	Return Receipt
Ark	45	75	X			X	attorney			Return Receipt
Calif	191	58			X				X (with county clerk)	First Class or Air Mail
Colo	32	63	X		X					Return Receipt
Conn	678	8	X	X	indifferent person (in limited instances)		X			not mentioned*
Del	341	3	X		X (subpoenas)	X				for copies
D. C.	9,884				X					Registered/ Certified



APPENDIX D. Summary of Service of Process Provisions in Individual States.										
State	Density per Square Mile <sup>1</sup>	No. of Counties	Parties Eligible to Deliver One or More Types of Service of Process							Type of Mail Service Allowed (in some instances)
			Sheriff and/or deputy sheriff	Con- stable	Person 18+/21+ and not a party	Person appointed/ designated by court	Person authorized by law	Peace/ police officer	Person licensed/ registered	
Fla	240	67	X (also special process server)			certified process server	X			not mentioned
Ga	112	159	X			X				not mentioned
Ha	173	4	X		X	X		X		for copies
Id	12	44			X		X			various
Ill (varies with county size)	206	102	X (also civilian employees)			X			licensed private detective and registered employees	for copies
Ind	155	92	X		only outside the state (also atty. for party)	X				Registered/ Certified
Iowa	50	99			X					Various
Kan	30	105	X		X (subpoenas)	X			attorney admitted to practice in Kansas	Certified

APPENDIX D. Summary of Service of Process Provisions in Individual States.										
State	Density per Square Mile <sup>1</sup>	No. of Counties	Parties Eligible to Deliver One or More Types of Service of Process							Type of Mail Service Allowed (in some instances)
			Sheriff and/or deputy sheriff	Con- stable	Person 18+/21+ and not a party	Person appointed/ designated by court	Person authorized by law	Peace/ police officer	Person licensed/ registered	
Ky	93	120	X	X	X (subpoenas)		X			Registered/ Certified
La	97	64 parishes	X				X			Registered/ Certified
Me	40	16	X		X (subpoenas)		X	X		Return Receipt & First Class
Md	489	23	X		X					Certified
Mass	768	14	X (also special deputy)		X (subpoenas)		X	X		Return Receipt
Mich	164	83	X		X (civil only)		X		X	Registered/ Certified
Minn	55	87	X		X		X			First Class
Miss	55	82	X		X					Certified & First Class
Msouri	74	114	X		X		only out of state			Certified & First Class
Mon	6	56	X	X	X					First Class
Neb	21	93	X				X	X		Certified

APPENDIX D. Summary of Service of Process Provisions in Individual States.										
State	Density per Square Mile <sup>1</sup>	No. of Counties	Parties Eligible to Deliver One or More Types of Service of Process						Type of Mail Service Allowed (in some instances)	
			Sheriff and/or deputy sheriff	Con- stable	Person 18+/21+ and not a party	Person appointed/ designated by court	Person authorized by law	Peace/ police officer		Person licensed/ registered
Nev	11	17	X		X (no limit re party)				X (with Private Investigator's Licensing Bd.)	not mentioned
NH	124	10	X (also special deputy)	X	X (subpoenas)			X		not mentioned
NJ	1,042	21	X			X		X		Registered/ Certified
NMx	13	33	X		X	X				First Class
NY	381	62	X		X (except NYC)					First Class
New York City									X (with NYC Dept. of Consumer Affairs)	
NC	136	100	X		only outside the state			X		Registered/ Certified
ND	9	53	X		X					Return Receipt

APPENDIX D. Summary of Service of Process Provisions in Individual States.										
State	Density per Square Mile <sup>1</sup>	No. of Counties	Parties Eligible to Deliver One or More Types of Service of Process							Type of Mail Service Allowed (in some instances)
			Sheriff and/or deputy sheriff	Con- stable	Person 18+/21+ and not a party	Person appointed/ designated by court	Person authorized by law	Peace/ police officer	Person licensed/ registered	
Ohio	265	88	X	X	attorney (subpoenas)	X				Certified
Okla	46	77	X		X (subpoenas)	X			X (county court for civil cases)	Certified
Ore	30	36	X		X					Registered/ Certified & First Class
Pa	265	67	X		X					Return Receipt
RI	960	5	X	X	X					Return Receipt
SC	116	46	X		X	X		X		Registered/ Certified
SD	9	66	X	X	X (must be elector)					not mentioned
Tenn	118	95	X	X	X					First Class
Tex	65	254	X	X		X	X			Registered/ Certified
Ut	21	29	X	X	X					Return Receipt

APPENDIX D. Summary of Service of Process Provisions in Individual States.										
State	Density per Square Mile <sup>1</sup>	No. of Counties	Parties Eligible to Deliver One or More Types of Service of Process							Type of Mail Service Allowed (in some instances)
			Sheriff and/or deputy sheriff	Con- stable	Person 18+/21+ and not a party	Person appointed/ designated by court	Person authorized by law	Peace/ police officer	Person licensed/ registered	
Vt	61	14	X	X	X (subpoenas)	X	X	X		Return Receipt
Va	156	95	X		X					for copies
Wash	73	39	X	X	X (for no fee)	X	X	X	X (with auditor of county)	Return Receipt
WVa	75	55	X		X					Registered/ Certified
Wis	90	72	X		X					not mentioned
Wy	5	23	X			X				Registered/ Certified

<sup>1</sup> Rounded to nearest whole number

not mentioned = source document contains excerpts from relevant law/rules of each state; material in source document does not specifically mention use of mail.

\* Connecticut statutes do allow the use of U.S. mail as a means of delivering certain notifications, orders, and warrants.

Sources of Data:

Column two - Council of State Governments, *The Book of the States*, 1998-99 Edition, Vol. 32 (Lexington, KY), pp. 450-451.

Other columns - National Association of Professional Process Servers, *Membership Directory and Civil Rules Guide*, Fall 1999 (Portland, OR), pp. 1-244.

Circumstances Under Which Indifferent Persons and Mail Service Are Allowed In Connecticut

- Indifferent person for:
  - Notice from redevelopment agency re compensation [Sec. 8-129]
  - Notice of claim for lien [Sec. 20-325a(q)]
  - Written order re violation of air pollution control statutes [Sec. 22a-178]
  - Written order re violation of solid waste management statutes [Sec. 22a-225]
  - Notice of hearing for involuntary representation [Sec. 45a-649]
  - Notice of hearing for guardianship [Sec. 45a-671]
  - Notice of hearing for determination of ability to give informed consent to sterilization [Sec. 45a-693]
  - Citation and notice of hearing for emancipation of a minor [Sec. 46b-150]
  - Mechanic's lien [Sec. 49-35]
  - Writ of summons where there are defendants in different counties or writ of attachment when plaintiff in danger of losing debt (civil cases) [Sec. 52-50(b)]
  - Sale of perishable property [Sec. 52-293]
- U.S. Mail for:
  - Appeal to the court of an administrative agency's decision [Sec. 4-183]
  - Warrant on intangible property [Sec. 12-35(b)]
  - Real property claim for lien (to nonstate resident) [Sec. 20-325e]
  - Written order re violation of air pollution control statutes [Sec. 22a-178]
  - Written order re violation of solid waste management statutes [Sec. 22a-225]
  - Notice of court hearing re issuance of a finding by CHRO [Sec. 46a-82e]
  - Mechanic's lien [Sec. 49-35]

Source of data: Connecticut General Statutes.



## **APPENDIX E**

### **CALCULATIONS FOR ESTIMATED COSTS**

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## Appendix E

The estimated full-time equivalent (FTE) staffing and costs for courthouse-related personnel contained in the program review committee report were based on an analysis of other staffing reports, including:

	Security	Cell Block	Transport	Total
OPM Staffing Report Standard (Feb. 1998)	859	163	91	1,113
OPM Staffing Report 70% Goal	601	114	64	779
Actual FTE at time of OPM Staffing Report	428	164	85	677
OFA Estimate (Spring 1999)	474	223+supvsr	98+supvsr	818
Actual FY 98 FTE				674
Actual November 19, 1999 FTE	464	211	116	790

OPM = Office of Policy & Management; OFA = Office of Fiscal Analysis

	Security	Cell Block	Transport	TOTAL
<b>LPR&amp;IC Projected Sheriffs Staffing Level</b> (assumes 248 work days for courts)	<b>480</b>	<b>210</b>	<b>110</b>	<b>800</b>
24-hour lockups in Hartford and New Haven require additional 117 days of coverage, which adds 117/248 [or 0.47] x 37.5 FTE		<b>18</b>		<b>18</b>
		<b>228</b>		<b>818</b>
<b>LPR&amp;IC Projected Nonsheriffs Staffing</b> <b>Level = Number of Sheriffs x 1.058</b>	<b>508</b>	<b>222</b>	<b>116</b>	<b>846</b>
24-hour lock-up add-on for additional days x 1.058		<b>19</b>		<b>19</b>
		<b>241</b>		<b>865</b>

The estimate for nonsheriffs (i.e., employees of other state agencies) includes a differential for vacation and sick days (based on 10 days vacation and 5 days sick per employee per year, which is 3 weeks/52 weeks or 0.058. There is no differential for holidays because courts are not open, and the pay for holidays is built into the annual salaries.

LPR&IC Projected Nonsheriffs Staffing  
Level if Department of Correction takes over  
transport and lock-up is based on May 18,  
1999, DOC memo indicating possibility of 30  
percent staff reduction.

**155                      81**

24-hour lock-up add-on for additional days  
used same FTE as sheriffs (in order to ensure  
minimum coverage).

**18**  
**173**

Supervisory staff was apportioned on the  
basis of information in the Nov. 19, 1999,  
report on actual staffing levels.

The salary data below were used to estimate salaries for the costs of the options.

	Daily Salary	Annual Salary (248 days)	Annual Salary (with holidays= 260 days)	Annual Minimum Salary (with full benefits)	Annual Maximum Salary (with full benefits)	Mid-range Annual Salary	Fringe Rate
<b>Sheriffs</b>							30.15%
Supervisor	\$140	<b>\$34,720</b>	\$36,400				
Transport	\$130	<b>\$32,240</b>	\$33,800				
Cell Block	\$120	<b>\$29,760</b>	\$31,200				
Security (\$110; \$115)	\$112.50	<b>\$27,900</b>	\$29,250				
Shift Differential	\$5.00	<b>\$1,240</b>	\$1,300				
<b>Judicial</b>							41.28%
Buildings & Grounds Patrol				\$30,847	\$40,348	\$35,598	
Police Officer				\$38,935	\$50,329	\$44,632	
Police Supervisor				\$45,058	\$57,582	\$51,320	
<i>New Position</i>				\$32,500	\$42,000	<b>\$37,250</b>	
<i>New Supervisor</i>				\$39,500	\$49,000	<b>\$44,250</b>	
<b>Dept. of Correction</b>							39.81%
Correctional Officer				\$30,587	\$39,812	<b>\$35,200</b>	
Correctional Lieutenant				\$43,041	\$55,210	<b>\$49,126</b>	
<b>Dept. of Public Safety</b>							39.81%
Trooper Trainee				\$29,594			
Trooper				\$37,108	\$50,344	\$43,726	
<i>New Position</i>				\$32,500	\$42,000	<b>\$37,250</b>	
<i>New Supervisor</i>				\$39,500	\$49,000	<b>\$44,250</b>	
<b>Protective Services</b>							41.28%
Trainee				\$27,522	\$35,515	\$31,519	
Agency Police Officer				\$34,910	\$44,318	\$39,614	

The next page uses this information and the estimated FTE staffing levels by function and by agency to calculate the estimated cost of workers for each of the agencies listed as options in Tables V-1A through V-1C.

Function	Annual Salary	FTEs	Annual Cost	Fringe Rate	Fringe Cost	Total Cost
<b>Sheriffs Current</b>						
Security	\$27,900	420	\$11,718,000	30.15%	\$3,532,977	\$15,250,977
Security - S	\$34,720	60	\$2,083,200	30.15%	\$628,085	\$2,711,285
Transport	\$32,240	100	\$3,224,000	30.15%	\$972,036	\$4,196,036
Transport - S	\$34,720	10	\$347,200	30.15%	\$104,681	\$451,881
Cell Block	\$29,760	195	\$5,803,200	30.15%	\$1,749,665	\$7,552,865
Cell Block - S	\$34,720	15	\$520,800	30.15%	\$157,021	\$677,821
24-Hour add-on	\$31,000	15	\$465,000	30.15%	\$140,198	\$605,198
24-Hour add-on - S	\$35,960	3	\$107,880	30.15%	\$32,526	\$140,406
Total		818	\$24,269,280		\$7,317,188	\$31,586,468
<b>Sheriffs with benefits, but no salary increase</b>						
Security	\$29,250	445	\$13,016,250	41.28%	\$5,373,108	\$18,389,358
Security - S	\$36,400	63	\$2,293,200	41.28%	\$946,633	\$3,239,833
Transport	\$33,800	105	\$3,549,000	41.28%	\$1,465,027	\$5,014,027
Transport - S	\$36,400	11	\$400,400	41.28%	\$165,285	\$565,685
Cell Block	\$31,200	206	\$6,427,200	41.28%	\$2,653,148	\$9,080,348
Cell Block - S	\$36,400	16	\$582,400	41.28%	\$240,415	\$822,815
24-Hour add-on	\$32,500	16	\$520,000	41.28%	\$214,656	\$734,656
24-Hour add-on - S	\$37,700	3	\$113,100	41.28%	\$46,688	\$159,788
Total		865	\$26,901,550		\$11,104,960	\$38,006,510
<b>Judicial Branch</b>						
Security	\$37,250	445	\$16,576,250	41.28%	\$6,842,676	\$23,418,926
Security - S	\$44,250	63	\$2,787,750	41.28%	\$1,150,783	\$3,938,533
Transport	\$37,250	105	\$3,911,250	41.28%	\$1,614,564	\$5,525,814
Transport - S	\$44,250	11	\$486,750	41.28%	\$200,930	\$687,680
Cell Block	\$37,250	206	\$7,673,500	41.28%	\$3,167,621	\$10,841,121
Cell Block - S	\$44,250	16	\$708,000	41.28%	\$292,262	\$1,000,262
24-Hour add-on	\$37,250	16	\$596,000	41.28%	\$246,029	\$842,029
24-Hour add-on - S	\$44,250	3	\$132,750	41.28%	\$54,799	\$187,549
Total		865	\$32,872,250		\$13,569,665	\$46,441,915
<b>Dept. of Public Safety</b>						
Security	\$37,250	445	\$16,576,250	39.81%	\$6,599,005	\$23,175,255
Security - S	\$44,250	63	\$2,787,750	39.81%	\$1,109,803	\$3,897,553
Transport	\$37,250	105	\$3,911,250	39.81%	\$1,557,069	\$5,468,319
Transport - S	\$44,250	11	\$486,750	39.81%	\$193,775	\$680,525
Cell Block	\$37,250	206	\$7,673,500	39.81%	\$3,054,820	\$10,728,320
Cell Block - S	\$44,250	16	\$708,000	39.81%	\$281,855	\$989,855
24-Hour add-on	\$37,250	16	\$596,000	39.81%	\$237,268	\$833,268
24-Hour add-on - S	\$44,250	3	\$132,750	39.81%	\$52,848	\$185,598
Total		865	\$32,872,250		\$13,086,443	\$45,958,693
<b>Dept. of Correction</b>						
Security	\$35,200	445	\$15,663,778	39.81%	\$6,235,750	\$21,899,527
Security - S	\$49,126	63	\$3,094,907	39.81%	\$1,232,082	\$4,326,989
Transport	\$35,200	74	\$2,604,763	39.81%	\$1,036,956	\$3,641,719
Transport - S	\$49,126	7	\$343,879	39.81%	\$136,898	\$480,777
Cell Block	\$35,200	145	\$5,103,928	39.81%	\$2,031,874	\$7,135,801
Cell Block - S	\$49,126	11	\$540,381	39.81%	\$215,125	\$755,506
24-Hour add-on	\$35,200	15	\$527,993	39.81%	\$210,194	\$738,186
24-Hour add-on - S	\$49,126	3	\$147,377	39.81%	\$58,671	\$206,047
Total		763	\$28,027,003		\$11,157,550	\$39,184,552

The estimated staffing levels and costs for process servers contained in the program review committee report (Table V-1D) were based on an analysis of income self-reported by existing deputy sheriffs.

Total No. of Deputy Sheriffs with Earnings in CY 98	245
No. of Deputy Sheriffs with Process Earnings in CY 98	235
No. of Deputy Sheriffs with Process Earnings of \$30,000+ in CY 98	117
No. of Deputy Sheriffs with Process Earnings of \$20,000 - \$29,999 in CY 98	32

State Job Title	Salary Range		Middle	Fringe 41.28%
Collection Agent	\$30,663	\$40,216	\$35,440	
Financial Clerk; Legal Typist	\$26,723	\$34,031	\$30,377	
Secretary	\$29,347	\$38,510	\$33,929	
Tax Unit Manager; Asst. Chief of Collection & Enforcement; Liquor Control Commission Administrator	\$69,526	\$89,181	\$79,354	

LPR&IC Staff Estimate	No. FTE	Salary	Cost	Fringe	Total Cost
Process Servers	117	\$35,440	\$4,146,480	\$1,711,667	\$5,858,147
Clerical (1 per 10 servers)	11	\$30,377	\$334,147	\$137,936	\$472,083
Secretary	1	\$33,929	\$33,929	\$14,006	\$47,935
Administrator	1	\$79,354	\$79,354	\$32,757	\$112,111
<b>TOTAL</b>			<b>\$4,593,910</b>		<b>\$6,490,276</b>

CY98 = calendar year 1998